


  
**FEDERAL REGISTER**  
 OF THE UNITED STATES 1934  
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*Washington, Friday, March 30, 1945*

*The President*

**PROCLAMATION 2644**

CANCER CONTROL MONTH, 1945  
 BY THE PRESIDENT OF THE UNITED STATES  
 OF AMERICA  
 A PROCLAMATION

WHEREAS good physical health is a vital factor in building the sound and peaceful world to which we all ardently look forward; and

WHEREAS the disease of cancer is one of the most important problems of physical health and welfare; and

WHEREAS science has developed the essential methods of early diagnosis that can prevent a large part of the tragic waste and suffering caused by cancer; and

WHEREAS every individual in his private capacity should avail himself of these known resources of early diagnosis and in his public capacity should lend all the support within his power to an active program of popular education in methods and means available for the control of this disease; and

WHEREAS by Public Resolution 82, 75th Congress, approved March 28, 1938 (52 Stat. 148), the President is authorized and requested to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby set apart the month of April 1945 as Cancer Control Month and do invite similar action on the part of the Governors of the several States, Territories, and possessions of the United States.

I also invite the medical profession, the press, and all other agencies and individuals interested in a national campaign for the control of cancer to unite in a program for the dissemination of information about the early symptoms of cancer, clinics for early diagnosis, and other health facilities available for the control of cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of

the United States of America to be affixed.

DONE at the City of Washington this 24th day of March, in the year of our Lord nineteen hundred and [SEAL] forty-five, and of the Independence of the United States of America the one hundred and sixtieth-ninth.

FRANKLIN D. ROOSEVELT

By the President:

JOSEPH C. GREW,  
*Acting Secretary of State.*

[F. R. Doc. 45-5025; Filed, Mar. 28, 1945;  
 5:08 p. m.]

*Regulations*

**TITLE 7—AGRICULTURE**

**Chapter XI—War Food Administration  
 (Distribution Orders)**

[Suspension Order Docket  
 No. WFA-MW-8-82]

**PART 1590—SUSPENSION ORDERS**

WINONA MILK CO., INC.

An order having been issued on February 20, 1945 (10 F.R. 2135) and made effective on March 1, 1945 (the "suspension order") in the above-entitled matter, determining that Winona Milk Company, Inc., Winona, Minnesota (the "respondent") had utilized milk solids in excess of quotas during the quota periods beginning February 1, 1943, and ending March 31, 1944, totaling 6136.59 pounds, in violation of War Food Order 8, as amended; and

It appearing that said suspension order further allocated the utilization of total milk solids by respondent in the production of frozen dairy foods or mix, respectively, until the total milk solids utilized in excess of quotas by respondent had been restored; and

It further appearing that Amendment 7 to War Food Order 8 (10 F.R. 2473), which became effective March 1, 1945, provided, among other things, that the allocation heretofore applicable to total milk solids should apply only to total milk fat; and

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#### NOTICE

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It further appearing that respondent falls within that class covered by § 1401.31 (c) (2) of Amendment 7 to War Food Order 8, which provides:

(2) With respect to a processor who has agreed or has been required to compensate for excessive utilization of total milk solids under War Food Order No. 8, as amended, prior to the effective date of the provisions hereof, such processor shall, until the expiration of the period of time required for the complete compensation for such excessive utilization of total milk solids, determine the amount of milk fat which he shall deduct from his permissible quotas by applying 55 percent to the amount of milk solids which he has agreed or has been required to deduct; and

The Director, in view of the foregoing facts, deeming it necessary and appropriate that the suspension order be amended to allocate the use by respondent of total milk fat in the production of frozen dairy foods or mix, respectively: It is therefore ordered, That:

Section 1590.12 (a) and (c) of the order heretofore issued in the above-entitled matter on February 20, 1945 (10 F.R. 2135), be, and the same hereby are, amended to read as follows:

(a) Respondent, its officers, directors, servants, agents, and employees, and all persons acting under, through, or for said respondent, during any allocation period, shall utilize in the production of frozen dairy foods or mix not more than forty-five per centum of the total milk fat used by said respondent in the production of frozen dairy foods or mix, respectively, during the corresponding portion of the base period, exclusive of all such products delivered to a governmental agency by said respondent during such base period: Provided, however, That in the event the percentage of permissible utilization of total milk fat for the production of frozen dairy foods or mix, respectively, established by the War Food Administration shall be either greater or less than sixty-five per centum, the percentage of total milk fat which respondent may utilize in the production of frozen dairy foods or mix, respectively, shall be twenty per centum under such established percentage. This restriction shall remain in full force and effect until the difference between the utilization of total milk fat by the respondent pursuant to this order, and the utilization of total milk fat permitted by War Food Order 8, as amended, or as it may be amended, shall equal 3375.12 pounds of total milk fat.

(c) Any terms used in this order which are defined in War Food Order 8, Amendment 7 (10 F.R. 2473) issued by the War Food Administration on February 28, 1945, and made effective March 1, 1945, shall have the meaning therein given to them unless otherwise distinctly expressed or manifestly incompatible with the intent thereof.

This amendment shall be effective retroactively to March 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392,

8 F.R. 14783; and 8 F.R. 16497; 9 F.R. 6202, 9943; 10 F.R. 2155, 2495)

Issued this 28th day of March 1945.

C. W. KITCHEN,  
Director of Marketing Services.

[F. R. Doc. 45-5034; Filed, Mar. 29, 1945;  
11:08 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Administrator of Civil Aeronautics

[Amtd. 66]

#### PART 600—DESIGNATION OF CIVIL AIRWAYS MISCELLANEOUS AIRWAYS

MARCH 16, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

*Designation of Civil Airway: Blue Civil Airway No. 41. Redesignation of Civil Airway: Red Civil Airway No. 8*

1. By amending § 600.10207 *Red civil airway No. 8 (Hartford, Conn., to U. S.-Canadian Border)* to read as follows:

§ 600.10207 *Red civil airway No. 8. Unassigned.*

2. By adding a new § 600.10340 *Blue civil airway No. 41 (New York, New York to U. S.-Canadian Border)* to read as follows:

§ 600.10340 *Blue civil airway No. 41 (New York, New York to U. S.-Canadian Border.)* From the intersection of the center lines of the on course signals of the northeast leg of the Newark, New Jersey radio range and the southeast leg of the Stewart Field, N. Y., radio range via the New Haven, Conn., Municipal Airport to the Hartford, Conn., radio range station. From the Hartford, Conn., radio range station via the intersection of the center lines of the on course signals of the northwest leg of the Hartford, Conn., radio range and the south leg of the Westfield, Mass., radio range to the Westfield, Mass., radio range station. From the Concord, N. H., radio range station to the Portland, Maine, radio range station. From the Bangor, Maine, radio range station to the intersection of the center line of the on course signal of the northeast leg of the Bangor, Maine, radio range and the U. S.-Canadian Border.

This amendment shall become effective 0001 e. w. t., March 31, 1945.

T. P. WRIGHT,  
Administrator.

[F. R. Doc. 45-5041; Filed, Mar. 29, 1945;  
11:24 a. m.]

[Amtd. 95]

#### PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

##### MISCELLANEOUS AIRWAYS

MARCH 16, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil

Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

*Redesignation of Radio Fixes: Green Civil Airways Nos. 2, 3, 4, 5 and 6. Amber Civil Airways Nos 2, 3, 4, 5, 6, 7 and 8. Red Civil Airways Nos. 1, 2, 11, 16, 20, 21, 23, 24, 25, 30, 32, 35, and 36. Blue Civil Airways Nos. 3, 6, 9, 13, 21 and 22.*

1. By deleting in § 601.4002 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* the following: "the intersection of the center lines of the on course signals of the east leg of the Buffalo, N. Y., radio range and the southwest leg of the Rochester, N. Y., radio range;"

2. By deleting in § 601.4003 *Green civil airway No. 3 (San Francisco, Calif., to New York, N. Y.)* the following: "Sidney, Nebr., radio marker station; the intersection of the center lines of the on course signals of the east leg of the Cleveland, Ohio radio range and the northeast leg of the Akron, Ohio, radio range; the intersection of the center lines of the on course signals of the east leg of the Youngstown, Ohio radio range and the south leg of the Erie, Pa., radio range;"

3. By amending § 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* to read as follows:

§ 601.4004 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.).* Los Angeles, Calif., radio range station; the intersection of the center lines of the on course signals of the north leg of the Los Angeles, Calif., radio range and the southwest leg of the Palmdale, Calif., radio range or the Newhall, Calif., radio range station; Palmdale, Calif., radio range station; the intersection of the center lines of the on course signals of the west leg of the Daggett, Calif., radio range and the north leg of the Riverside, Calif., radio range; Daggett, Calif., radio range station; the intersection of the center lines of the on course signals of the east leg of the Daggett, Calif., radio range and the southeast leg of the Silver Lake, Calif., radio range; Needles, Calif., radio range station; Prescott, Ariz., radio range station; Winslow, Ariz., radio range station; El Morro, N. Mex., radio range station; Acomita, N. Mex., radio range station; Albuquerque, N. Mex., radio range station; Tucumcari, N. Mex., radio range station; Amarillo, Tex., radio range station; the intersection of the center lines of the on course signals of the southwest leg of the Gage, Okla., radio range and the northwest leg of the Pampa, Tex., radio range; Gage, Okla., radio range station; Wichita, Kans., radio range station; Lebo, Kans., radio range station; Kansas City, Mo., radio range station; Columbia, Mo., radio range station; St. Louis, Mo., radio range station; Effingham, Ill., radio range station; Terre Haute, Ind., radio range station; Indianapolis, Ind., radio range station; the intersection of the center lines of the on course signals of the east leg of the Indianapolis, Ind., radio range and the northwest leg of the Cincinnati, Ohio, radio range; Dayton,

Ohio, radio range station; Columbus, Ohio, radio range station; the intersection of the center lines of the on course signals of the west leg of the Pittsburgh, Pa., radio range and the south leg of the Youngstown, Ohio, radio range; Pittsburgh, Pa., radio range station; Altoona, Pa., radio range station; Harrisburg, Pa., radio range station; Philadelphia, Pa., radio range station.

4. By deleting in § 601.4005 *Green civil airway No. 5 (Los Angeles, Calif., to Washington, D. C.)* the following: "the intersection of the center lines of the on course signals of the west leg of the Fort Worth, Tex., radio range and the northwest leg of the Waco, Tex., radio range; the intersection of the center lines of the on course signals of the northeast leg of the Fort Worth, Tex., radio range and the north leg of the Dallas, Tex., radio range; the intersection of the center lines of the on course signals of the southeast leg of the Little Rock, Ark., radio range and the southwest leg of the Memphis, Tenn., radio range;"

5. By deleting in § 601.4006 *Green civil airway No. 6 (Alice, Tex., to Norfolk, Va.)* the following: "the intersection of the center lines of the on course signals of the northeast leg of the Atlanta, Ga., radio range and the east leg of the Atlanta, Ga., (Gordon Field) radio range; the intersection of the center lines of the on course signals of the southwest leg of the Greensboro, N. C., radio range and the north leg of the Charlotte, N. C., radio range; the intersection of the center lines of the on course signals of the northeast leg of the Greensboro, N. C., radio range and the south leg of the Lynchburg, Va., radio range;"

6. By deleting in § 601.4012 *Amber civil airway No. 2 (Long Beach, Calif., to Fairbanks, Alaska)* the following: "Milford, Utah radio range station;"

7. By deleting in § 601.4013 *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.)* the following: "Dacono, Colo., fan type radio marker station or the intersection of the center lines of the on course signals of the southeast leg of the Laramie, Wyo., radio range and the north leg of the Denver, Colo., radio range;"

8. By deleting in § 601.4014 *Amber civil airway No. 4 (Brownsville, Tex., to Bismarck, N. Dak.)* the following: "the intersection of the center lines of the on course signals of the northwest leg of the Waco, Tex., radio range and the south leg of the Fort Worth, Tex., radio range; the intersection of the center lines of the on course signals of the north leg of the Fort Worth, Tex., radio range and the southeast leg of the Wichita Falls, Tex., radio range; the intersection of the center lines of the on course signals of the east leg of the Oklahoma City, Okla., radio range and the southwest leg of the Tulsa, Okla., radio range; the Platte City, Mo., fan type radio marker or the intersection of the center lines of the on course signals of the northwest leg of the Kansas City, Mo., radio range and the west leg of the Columbia, Mo., radio range; the Glenwood, Iowa, fan type radio marker station or the intersection of the center

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lines of the on course signals of the east leg of the Lincoln, Nebr., radio range and the south leg of the Omaha, Nebr., radio range;"

9. By deleting in § 601.4015 *Amber civil airway No. 5 (New Orleans, La., to Milwaukee, Wis.)* the following: "the intersection of the center lines of the on course signals of the north leg of the St. Louis, Mo., radio range and the southwest leg of the Springfield, Ill., radio range;"

10. By deleting in § 601.4016 *Amber civil airway No. 6 (Jacksonville, Fla., to Niagara Falls, N. Y.)* the following: "the intersection of the center lines of the on course signals of the northwest leg of the Atlanta, Ga., radio range and the west leg of the Atlanta, Ga., (Atlanta, Gordon Field) radio range; the intersection of the center lines of the on course signals of the northwest leg of the Nashville, Tenn., radio range and the southwest leg of the Bowling Green, Ky., radio range;"

11. By deleting in § 601.4017 *Amber civil airway No. 7 (Miami, Fla., to Caribou, Maine)* the following: "the intersection of the center lines of the on course signals of the northeast leg of the Charleston, S. C., radio range and the southeast leg of the Florence, S. C., radio range; the intersection of the center lines of the on course signals of the southeast leg of the Blackstone, Va., radio range and the southwest leg of the Richmond, Va., radio range; the intersection of the center lines of the on course signals of the northeast leg of the Augusta, Maine radio range and the southwest leg of the Bangor, Maine radio range; the intersection of the center lines of the on course signals of the northwest leg of the Bangor, Maine radio range and the southwest leg of the Millinocket, Maine radio range;"

12. By deleting in § 601.4018 *Amber civil airway No. 8 (Red Bluff, Calif., to The Dalles, Ore.)* the following: "the intersection of the center lines of the on course signals of the northeast leg of the Whitmore, Calif., radio range and the south leg of the Klamath Falls, Ore., radio range; the intersection of the center lines of the on course signals of the north leg of the Klamath Falls, Ore., radio range and the southwest leg of the Redmond, Ore., radio range;"

13. By amending § 601.40201 *Red civil airway No. 1 (Portland, Oreg., to Grandview Airport, Kansas City, Mo.)* to read as follows:

§ 601.40201 *Red civil airway No. 1 (Portland, Oreg., to Grandview Airport, Kansas City, Mo.)*. Pendleton, Oreg., radio range station; Baker, Oreg., radio range station; Boise, Idaho radio range station; Burley, Idaho radio range station; Salina, Kans., radio range station.

14. By amending § 601.40202 *Red civil airway No. 2 (Butte, Mont., to Rapid City, S. Dak.)* to read as follows:

§ 601.40202 *Red civil airway No. 2 (Butte, Mont., to Rapid City, S. Dak.)*. Butte, Mont., radio range station.

15. By amending § 601.40211 *Red civil airway No. 11 (Tulsa, Okla., to Huntington, W. Va.)* to read as follows:

§ 601.40211 *Red civil airway No. 11 (Tulsa, Okla., to Huntington, W. Va.)*. Neosho, Mo., radio range station; Springfield, Mo., radio range station; Vichy, Mo., radio range station; Evansville, Ind., radio range station.

16. By amending § 601.40216 *Red civil airway No. 16 (Augusta, Ga., to Florence, S. C.)* to read as follows:

§ 601.40216 *Red civil airway No. 16 (Augusta, Ga., to Florence, S. C.)*. Columbia, S. C., radio range station.

17. By deleting in § 601.40220 *Red civil airway No. 20 (Lansing, Mich., to Washington, D. C.)* the following: "Scottsdale, Pa., fan type radio marker station or the intersection of the center lines of the on course signals of the west leg of the Bucktown, Pa., radio range and the southeast leg of the Pittsburgh, Pa., radio range;"

18. By deleting in § 601.40221 *Red civil airway No. 21 (Cleveland, Ohio, to Newark, N. J.)* the following: "the intersection of the center lines of the on course signals of the northeast leg of the Pittsburgh, Pa., radio range and the north leg of the Bucktown, Pa., radio range."

19. By deleting in § 601.40223 *Red civil airway No. 23 (U. S.-Canadian Border to New York, N. Y.)* the following: "The intersection of the center lines of the on course signals of the northwest leg of the Elmira, N. Y., radio range and the southwest leg of the Rochester, N. Y., radio range;"

20. By amending § 601.40224 *Red civil airway No. 24 (Amarillo, Tex., to Oklahoma City, Okla.)* to read as follows:

§ 601.40224 *Red civil airway No. 24 (Amarillo, Tex., to Oklahoma City, Okla.)*. No radio fix designation.

21. By amending § 601.40225 *Red civil airway No. 25 (Daytona Beach, Fla., to Miami, Fla.)* to read as follows:

§ 601.40225 *Red civil airway No. 25 (Tallahassee, Fla., to Miami, Fla.)*. Orlando, Fla., radio range station; Tampa, Fla., radio range station; Fort Myers, Fla., radio range station.

22. By deleting in § 601.40230 *Red civil airway No. 30 (Mobile, Ala., to Jacksonville, Fla.)* the following: "the intersection of the center lines of the on course signals of the east leg of the Crestview, Fla., radio range and the northwest leg of the Tallahassee, Fla., radio range;"

23. By amending § 601.40232 *Red civil airway No. 32 (Austin, Tex., to Houston, Tex.)* to read as follows:

§ 601.40232 *Red civil airway No. 32 (Austin, Tex., to Houston, Tex.)*. No radio fix designation.

24. By amending § 601.40235 *Red civil airway No. 35 (Pueblo, Colo., to Wichita, Kans.)* to read as follows:

§ 601.40235 *Red civil airway No. 35 (Pueblo, Colo., to Wichita, Kans.)*. La Junta, Colo., radio range station; Garden City, Kans., radio range station; Hutchinson, Kans., radio range station.

25. By amending § 601.40236 *Red civil airway No. 36 (Rochester, Minn., to La Crosse, Wis.)* to read as follows:

§ 601.40236 *Red civil airway No. 36 (Rochester, Minn., to La Crosse, Wis.)*. Rochester, Minn., radio range station.

26. By amending § 601.40303 *Blue civil airway No. 3 (Tampa, Fla., to Terre Haute, Ind.)* to read as follows:

§ 601.40303 *Blue civil airway No. 3 (Tallahassee, Fla., to Terre Haute, Ind.)*. Cross City, Fla., radio range station; Dothan, Ala., radio range station; the intersection of the center lines of the on course signals of the northwest leg of the Nashville, Tenn., radio range and the south leg of the Evansville, Ind., radio range.

27. By amending § 601.40306 *Blue civil airway No. 6 (Abilene, Tex., to Muskegon, Mich.)* to read as follows:

§ 601.40306 *Blue civil airway No. 6 (Abilene, Tex., to Muskegon, Mich.)*. No radio fix designation.

28. By amending § 601.40309 *Blue civil airway No. 9 (Columbia, Mo., to U. S.-Canadian Border)* to read as follows:

§ 601.40309 *Blue civil airway No. 9 (Columbia, Mo., to U. S.-Canadian Border)*. Duluth, Minn., radio range station.

29. By amending § 601.40313 *Blue civil airway No. 13 (Lake Charles, La., to Kansas City, Mo.)* to read as follows:

§ 601.40313 *Blue civil airway No. 13 (Lake Charles, La., to Kansas City, Mo.)*. Olathe, Kans., radio range station.

30. By amending § 601.40321 *Blue civil airway No. 21 (Pittsburgh, Pa., to Erie, Pa.)* to read as follows:

§ 601.40321 *Blue civil airway No. 21 (Pittsburgh, Pa., to Erie, Pa.)*. The intersection of the center lines of the on course signals of the northwest leg of the Pittsburgh, Pa., radio range and the south leg of the Youngstown, Ohio, radio range.

31. By amending § 601.40322 *Blue civil airway No. 22 (Wichita, Kans., to Tulsa, Okla.)* to read as follows:

§ 601.40322 *Blue civil airway No. 22 (Wichita, Kans., to Tulsa, Okla.)*. No radio fix designation.

This amendment shall become effective 0001 e. w. t., March 31, 1945.

T. P. WRIGHT,  
Administrator.

[F. R. Doc. 45-5042; Filed, Mar. 29, 1945;  
11:24 a. m.]

[Amdt. 96]

PART 601—DESIGNATION OF CERTAIN  
CONTROL AIRPORTS  
MISCELLANEOUS AIRWAYS

MARCH 16, 1945.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the regulations of the Administrator of Civil Aeronautics as follows:

*Designation of Airway Traffic Control Area, Blue Civil Airway No. 41. Redesignation of Airway Traffic Control Area: Red Civil Airway No. 8. Designation of Radio Fix: Blue Civil Airway No. 41. Redesignation of Radio Fix: Red Civil Airway No. 8.*

1. By amending § 601.10208 *Red civil airway No. 8 airway traffic control areas (Hartford, Conn., to U. S.-Canadian Border)* to read as follows:

§ 601.10208 *Red civil airway No. 8 airway traffic control areas. Unassigned.*

2. By adding a new section as follows:

§ 601.10341 *Blue civil airway No. 41 airway traffic control areas (New York, N. Y., to U. S.-Canadian Border). All of Blue civil airway No. 41.*

3. By amending § 601.40208 *Red civil airway No. 8 (Hartford, Conn., to U. S.-Canadian Border)* to read as follows:

§ 601.40208 *Red civil airway No. 8. Unassigned.*

4. By adding a new section as follows:

§ 601.40341 *Blue civil airway No. 41 (New York, N. Y., to U. S.-Canadian Border). No radio fix designation.*

This amendment shall become effective 0001 e. w. t., March 31, 1945.

T. P. WRIGHT,  
Administrator.

[F. R. Doc. 45-5043; Filed, Mar. 29, 1945;  
11:24 a. m.]

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

#### PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

##### ADOPTION OF RULE PROVIDING SPECIAL EXEMPTION FOR ASSESSABLE SHARES OF STOCK OF MINING CORPORATIONS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 3 (b), 7, 10 and 19 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by such Act, hereby adopts § 230.240 (Rule 240 of Regulation A-M of the general rules and regulations under the Securities Act of 1933) to read as follows:

§ 230.240 *For assessable shares of stock of mining corporations. Assessable shares of mining corporations organized under the laws of and having the principal place of business in any State or Territory of the United States or the District of Columbia, when offered for the account of the issuer for cash, are added to the classes of securities exempt from registration, subject to the following terms and conditions:*

(a) The sum of the following shall not exceed \$100,000: (Where securities are

offered "at the market," the aggregate offering price thereof shall be computed upon the basis of the market price as established by bona fide sales made on the first day of the offering.)

(1) The aggregate offering price of the proposed offering of shares;

(2) The aggregate offering price of the issuer's securities (other than securities effectively registered under the act) being currently offered to the public;

(3) The aggregate sales price of the issuer's securities (other than securities effectively registered under the act) sold to the public for its account within a period of one year immediately prior to the filing date of the prospectus required by paragraph (e) of this section.

(b) The aggregate offering price of the issuer's securities offered to the public (other than securities effectively registered under the act) in each successive yearly period commencing with the filing date of the latest prospectus required by paragraph (e) of this section plus the amount received in each such period as a result of all assessments shall not exceed \$100,000.

(c) Not more than one offering of securities shall be commenced by the issuer under this section in any period of one year.

(d) The issuer, or any person controlling, controlled by, or under common control with the issuer:

(1) Is not subject to pending proceedings under sections 8 (b) or (d) of the act or of an order entered under either of these sections;

(2) Has not been convicted within five years of the filing date of the prospectus required by paragraph (e) of this section or the statement required by paragraph (g) of this section of any felony or misdemeanor involving the sale of a security;

(3) Is not subject to an order, judgment or decree of any court of competent jurisdiction entered within three years preceding the date of filing the prospectus required by paragraph (e) of this section or the statement required by paragraph (g) of this section enjoining it or him from engaging in or continuing any conduct or practice in connection with the sale of any security;

*Provided, however, That the Commission may upon application waive the provisions of this paragraph if not inconsistent with the public interest and the protection of investors.*

(e) *Prospectus.* A prospectus shall be presented to each person to whom the shares are offered at the time of the initial solicitation of each such person. Such prospectus shall set forth at least the following:

(1) A readily legible statement on the first page in substantially the following form: "The shares being offered are assessable and therefore subject to such payments, in addition to the offering price, as shall be levied by the issuer's board of directors. These shares have not been registered under the Securities Act of 1933. They are offered under the exemption from registration provided by Rule 240 of Regulation A-M under the act. The Securities and Exchange Commission has neither approved nor dis-

proved these shares and has not passed upon the accuracy or completeness of the statements in this prospectus."

(2) The approximate date the prospectus is filed pursuant to paragraph (f) of this section.

(3) The name and address of the issuer and the name of the State under the laws of which it was organized.

(4) The full name and home address of each promoter, officer and director of the issuer.

(5) A statement showing the authorized capitalization of the issuer.

(6) A statement showing the number of shares of capital stock of each class outstanding and the consideration received therefor by the issuer. Give corresponding information as to any other securities or material debt outstanding.

(7) A brief summary of the material provisions, whether statutory or otherwise, applicable to assessments on the shares being offered, including provisions dealing with the failure of the stockholder to meet an assessment.

(8) A statement of the issuer's present intention with respect to assessments during the period of one year following the commencement of the offering.

(9) A statement of the number and class of shares of capital stock now proposed to be offered, the offering price per share, and the aggregate offering price.

(10) The name and address of the principal underwriters, if any, and the commissions or discounts per share to underwriters. If no underwriters are to be employed, state the amount per share of expenses incurred and to be incurred in connection with the distribution of shares. (Estimate if necessary.)

(11) A description of the issuer's mining property and of any mining property intended to be acquired by the issuer, to include at least the following information:

(i) A statement of the location and means of access to the property.

(ii) A statement of the character, extent and condition, insofar as known, of underground workings and developments.

(iii) A statement of the character, amount, and condition of any surface or underground plant and facilities. If none, so state.

(iv) A statement of the known history of the property.

(v) A description of the work done and improvements made by the issuer at the property.

(vi) A statement of the ore development position of the mine. If no important amounts of ore are developed and the property is essentially in the exploratory stage, a statement to that effect shall be made.

(vii) A statement of the nature of the title held to the property (noting any defects therein and liens thereon) and the principal terms of any lease, or lease and option, with respect to the property. If continued possession of the property by the issuer depends upon the satisfaction of certain conditions, describe these conditions and state the extent to which they have been met.

(12) A statement showing respectively the amount of funds received by the is-

## FEDERAL REGISTER, Friday, March 30, 1945

suer from the sale of securities, assessments, and other sources during a period of two years immediately preceding the filing date of the prospectus required by this paragraph (e). State also the amount of assessments levied during such period.

(13) A statement showing the principal purposes for which the funds referred to in subparagraph (12) of this paragraph were used, and the amount expended for each such purpose. Such statement shall include a description of the amount and nature of work done and improvements made at the mining property through use of such funds.

(14) A statement of the amount of cash, securities, and anything else of value paid or transferred by the issuer to each promoter, director and officer of the issuer within a period of two years immediately prior to the filing date of the prospectus required by this paragraph (e) in his official capacity or otherwise and the consideration therefor.

(15) A statement of the principal purposes for which the proceeds of the offering and any other available funds are intended to be used showing the estimated amount for each purpose. This information shall show the aggregate amount of the aforementioned funds intended to be paid to each promoter, officer and director of the issuer in his official capacity or otherwise and the consideration therefor.

(16) A statement showing any information necessary to make the information given in the prospectus required by this paragraph (e) not misleading in material respects, and showing any other information concerning the issuer and its property which the issuer in good faith believes is material in forming a judgement as to the purchase of the shares being offered.

(17) An undertaking substantially as follows: "The issuer agrees to mail to the last known address or to deliver to each holder of the class of security being offered, with each assessment notice following the commencement of the offering, a statement containing the information required under paragraph (g) of Rule 240."

(f) Three copies of the prospectus required under paragraph (e) of this section shall be filed with the regional office of the Commission for the region in which the issuer's principal place of business is located, at least ten days prior to its use. Such copies shall be accompanied by a letter of transmittal showing the amounts referred to in paragraphs (a) (2) and (a) (3) of this section.

(g) *Statement to accompany assessment notice.* The issuer shall, at the time of each assessment levied after the commencement of the offering, mail to the last known address or deliver to each holder of the class of security offered under this rule, a notice of assessment accompanied by a statement containing at least the following information:

(1) The approximate date the statement is filed pursuant to paragraph (h) of this section.

(2) The full name and home address of each officer or director of the issuer

elected subsequent to the filing date of the prospectus required by paragraph (e) of this section or subsequent to the last assessment notice, whichever is the later.

(3) A statement showing respectively the amount of funds received by the issuer from the sale of securities, assessments, and other sources for a period of two years immediately preceding the filing date of the statement required by this paragraph (g). State also the amount of assessments levied during such period.

(4) A statement showing the principal purposes for which the funds referred to in subparagraph (3) of this paragraph were used, and the amount expended for each such purpose. Such statement shall include a description of the amount and nature of the work done and of the improvements made at the mining property through use of such funds. Show separately the amount of such funds paid to each promoter, officer, and director of the issuer in his official capacity or otherwise and the consideration for such payments.

(5) A statement showing whether the property is essentially in the exploratory stage without important ore reserves and, if not in this stage, a statement showing the ore reserve position of the property.

(6) A brief statement showing the consideration received for shares issued for other than cash since the filing of the last prospectus required by paragraph (e) of this section or the last statement required by this paragraph (g), whichever is the later.

(7) A statement of the aggregate amount of the current assessment and the issuer's intention with respect to the principal uses thereof and of any other available funds. Show separately the aggregate amount of the aforementioned funds intended to be paid to each promoter, officer and director in his official capacity or otherwise and the consideration therefor.

(8) A statement of the issuer's present intention with respect to further assessments during the period of one year following the filing date of the statement required by this paragraph (g).

(9) A statement of any material provisions, whether statutory or otherwise, applicable to assessments on the shares being offered, including provisions dealing with the failure of the stockholder to meet an assessment.

(10) A statement showing any information necessary to make the information given in the statement required by this paragraph (g) not misleading in material respects, and showing any other information concerning the issuer and its property (unless already sent to all holders of the issuer's assessable shares) which the issuer in good faith believes material in forming a judgement as to the payment of the assessment.

(h) Three copies of the statement required by paragraph (g) of this section shall be filed with the regional office of the Commission for the region in which the issuer's principal place of business is located at least ten days prior to its use. Such copies shall be accompanied by a letter of transmittal showing the

aggregate amount of each class of the issuer's securities being currently offered (other than securities effectively registered under the act), and the following information for each successive yearly period after the filing date of the prospectus required by paragraph (e) of this section (or for the period since such date, if less than a year has elapsed):

(1) The aggregate amount of each class of the issuer's securities sold to the public, other than securities effectively registered under the act.

(2) The aggregate amount of assessments levied by the issuer on all shares and the amount received as a result thereof.

(i). *Other selling literature.* Three copies of all selling literature, in addition to that required by paragraphs (e) and (g) of this section, which is to be sent to more than ten persons shall be filed with the regional office of the Commission for the region in which the issuer's principal place of business is located, at least ten days prior to its use. [Rule 240 of Regulation A-M effective March 24, 1945]

(Sec. 3, 48 Stat. 75; 15 U.S.C. 77c; sec. 7, 48 Stat. 78, 15 U.S.C. 77g; sec. 10, 48 Stat. 81, 15 U.S.C. 77j; sec. 19, 48 Stat. 85, 15 U.S.C. 77s)

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-5021; Filed, Mar. 28, 1945;  
2:50 p. m.]

## TITLE 22—FOREIGN RELATIONS

## Chapter I—Department of State

## Subchapter B—The Foreign Service

## [Foreign Service Regs. S-2]

## PART 112—INTERCOURSE WITH FOREIGN GOVERNMENTS

REPRESENTATION OF FOREIGN INTERESTS  
Correction

In the document appearing at page 3358 of the issue for Thursday, March 29, 1945, the Federal Register serial number should read "45-4930".

## TITLE 26—INTERNAL REVENUE

## Chapter I—Bureau of Internal Revenue

## Subchapter A—Income and Excess Profits Taxes

[T. D. 5448]

PART 29—INCOME TAX; TAXABLE YEARS  
BEGINNING AFTER DECEMBER 31, 1941

## PENALTIES IN CONNECTION WITH ESTIMATED TAX

Treasury Decision 5420, relating to penalties in connection with estimated tax, amended to provide special rule for computation of penalties for taxable years beginning before September 1, 1944.

Treasury Decision 5420, amending § 29.294-1 of Regulations 111 [26 CFR, Cum. Supp., Part 29], approved December 8, 1944, is amended by inserting im-

mediately after paragraph 2 thereof the following:

PAR. 3. In the application of § 29.294-1, as amended, of Regulations 111 to taxable years beginning before September 1, 1944, the additions to the tax for failure to file a declaration of estimated tax within the time prescribed, or for under-estimate of the estimated tax, shall be computed upon the basis of the tax shown on the return or the tax as finally determined, whichever is the lesser.

(Sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) and sec. 3791, Internal Revenue Code (53 Stat. 467; 26 U.S.C. 3791))

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: March 28, 1945.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-5062; Filed, Mar. 29, 1945;  
11:44 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 933—COPPER

[Conservation Order M-9-c, as Amended  
Mar. 10, 1945, Amdt. 2]

Section 933.4 Conservation Order M-9-c is hereby amended by changing the item on the Military Exemption List "Slide fastener interlocking elements \*\*\*" to read as follows:

(i) "Slide fasteners and tack buttons for use on jungle clothing and equipment, flying suits and Navy flying boots, aircraft, Navy Bureau of Aeronautics and Army Air Force equipment and accessories, Navy winter N-1 suits including trousers and jackets, Navy jackets N-4, Signal Corps equipment and accessories, and submarine boat equipment, being produced on a rating of AA-3 or higher; and (ii) snap fasteners of the sew-on, machine-attached or riveted types, buckles, eyelets, staples, rivets and burrs, being produced on a rating of AA-3 or higher."

Issued this 29th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-5036; Filed, Mar. 29, 1945;  
11:17 a. m.]

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 14]

##### INDUSTRIAL AIR CIRCULATORS

The following interpretation is issued with respect to Priorities Reg. 3:

List B of Priorities Regulation 3 (§ 944.23) includes "Industrial air circulators, new." This term includes any new propeller type fan designed for desk, pedestal, wall bracket, ceiling, or floor mounting, for circulating air within a room or space without the use of ducts, and powered by an electric motor drawing more than 200 watts. Such a fan is sometimes referred to as a "man-cooler" or a "restaurant fan".

The term does not include propeller type fans designed for exhausting air from inside a building or room to the outside, or for supplying air from the outside to the space within, and normally mounted in a window or over a door or in a wall.

Issued this 29th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-5040; Filed, Mar. 29, 1945;  
11:17 a. m.]

Issued this 29th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-5037; Filed, Mar. 29, 1945;  
11:17 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 12]

##### PRODUCTION OF WORK GLOVE JERSEY KNITTED FABRICS

The following direction is issued pursuant to Conservation Order M-328:

(a) The purpose of this direction is to provide work glove manufacturers with suitable knitted fabric with which to manufacture work gloves during the year 1945.

(b) During the calendar quarter commencing April 1, 1945, and during each calendar quarter thereafter through December 31, 1945, each person who at any time during the calendar year 1943 or 1944 produced work glove jersey knitted fabrics in weights of 8 ounces or above per square yard, shall produce a poundage of work glove jersey knitted fabric not less than the poundage produced by him in the calendar quarter of 1943 or 1944 in which the highest poundage of work glove knitted fabric was produced.

(c) Any person who is unable to obtain sufficient yarn with which to comply with this direction may file with the War Production Board, Textile, Clothing & Leather Bureau, Washington 25, D. C., an application on Form WPB-2842, for priorities assistance to obtain the required yarn. Preference ratings will not be granted to fabric producers who own or control yarn mills if such mills are producing sufficient yarn to enable fulfillment of this direction without such assistance from outside sources.

(d) No producer shall sell or deliver any work glove jersey knitted fabrics produced under paragraph (b) except to persons who certify to him that they will use the fabric in the manufacture of work gloves, as defined in order M-375, or to distributors who certify that they will resell the fabric to persons who certify to them that they will use the fabric in the manufacture of the work gloves. No distributor who purchases any fabric under such certification shall sell or deliver it except to persons who certify that they will use it in the manufacture of work gloves. Any person obtaining the fabric under a certification that he will use it in the manufacture of work gloves must use it for that purpose.

(e) Any appeal from the provisions of this direction shall be made pursuant to the provisions of paragraph (g) (4) of Order M-328.

Issued this 29th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-5038; Filed, Mar. 29, 1945;  
11:17 a. m.]

#### PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supplement XV to Schedule A]

##### KNIT GOODS PROGRAM

The following Supplement XV to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

## FEDERAL REGISTER, Friday, March 30, 1945

## KNIT GOODS PROGRAM NO. 6

Item No.	Items	Sizes	Yarns
<i>Hosiery</i>			
1	Boys' half socks—Boys' crew socks	7-11 $\frac{1}{2}$	Cotton.
2	Boys' golf hose	7-11 $\frac{1}{2}$	Do.
3	Children's 5/8, 7/8, and long ribbed hose	6-10 $\frac{1}{2}$	Do.
4	Infants' long ribbed hose	3-5 $\frac{1}{2}$	Do.
5	Infants' half socks	4-6 $\frac{1}{2}$	Do.
6	Infants' and small children's anklets	4-8 $\frac{1}{2}$	Do.
7	Men's work socks	Finished wgt. not less than 1 $\frac{1}{2}$ lbs. per dozen.	Do.
<i>Underwear</i>			
8	Boys' knitted briefs or shorts (specify which)	6-16	Do.
9	Children's heavyweight union suits	2-12	Do.
10	Children's waist suits	2-12	Do.
11	Children's vests, pants and bloomers	2-16	Do.
12	Children's and infants' sleepers or gowns (specify which)	0-12	Do.
13	Infants' long and short sleeve shirts	0-6	Do.
14	Infants' bands	0-6	Do.
15	Infants' panties	1-6	Do.
16	Men's heavyweight union suits	34-40	Do.
17	Boys' heavyweight union suits	6-16	Do.
18	Men's heavyweight undershirts	34-46	Do.
19	Men's heavyweight drawers	32-44	Do.
<i>Outerwear (machine knitted)</i>			
20	Infants' sweaters and sacques	0-3	Worsted or worsted and cotton.
21	Children's sweaters	2-8	Do.
22	Boys' sweaters	8-14	Do.
23	Girls' sweaters	8-14	Woolen or woolen and cotton.
24	Infants' headwear		Do.
25	Children's caps, toques and helmets		Worsted or worsted and cotton.
26	Infants' and children's mittens		Do.
27	Infants' booties		Worsted or worsted and cotton.
28	Infants' shawls, crib blankets and carriage covers		Do.
29	Infants' separate leggings	34 and up, including out-sizes	Do.
30	Men's utility sweater coats	36 and up, including out-sizes	Do.
31	Women's utility sweater coats	2-6X	Do.
32	Boys' and girls' knit suits	6, 12, 18 mos.	Cotton.
33	Infants' creepers		Do.

<sup>1</sup> These garments are for laborers and workers both in and out of doors who need additional warm clothing in their regular occupation. They are to be of Bradford Worsted Machine Knitting Yarn in quality 44's wool, or other Machine Knitting Yarn; however manufactured incorporating Bradford Wool top not finer in quality than 44's wool, limited to other than Top Dyed except that which was Top Dyed on or before January 15, 1945. Such worsted garments may be used in combination with cotton, the finished garments to contain not less than 25% wool fibre by weight.

Men's utility sweater coats shall conform to model "D" or "E" only in Schedule A of WPB Order L-310.

Women's utility sweater coats shall conform to model "F" or "G" only in Schedule B of WPB Order L-310.

Application Form WPB-3732.

Filing date (April 12, 1945).

(a) These items are required to be produced during April, May and June, 1945.

(b) Priorities assistance will be given only for the yarn specified above with respect to each item. Assistance for worsted yarn will be limited to yarns spun on the Bradford system.

(c) Where necessary, additional priorities assistance may be given for the procurement of sewing thread, cambric, sateen, twill, jean cloth and similar cotton broad woven fabrics customarily used for facings, bindings and stays, in quantities necessary for the number of garments to be produced under this program. Requests for this additional priorities assistance should be stated on Form WPB-3732.

(d) Each applicant whose application is granted shall produce a portion of his total production of each item for sale at each of the prices (or any increased prices subsequently granted by the Office of Price Administration for items of the same specifications), at which he sold such item in the corresponding calendar quarter of 1943 (this is called "base period"). The proportion of his production of each item for sale at each such price to his entire production of the item under the program shall be the same as the proportion of his production of the item for sale at each such price, was to his total production of the item in the base period. The whole or part of a quota of each

item to be sold at the base period price may be shifted from a higher to a lower price, but not from a lower to a higher price.

(e) All items produced from materials obtained with a rating assigned under this program shall meet the same specifications (including quality and workmanship) used by the applicant in producing the item sold at the same or nearest higher price during the base period.

(f) Any person who did not produce the item in the corresponding calendar quarter of 1943 and who wishes to apply for priorities assistance under this program must certify to the War Production Board that he has obtained written approval from the Office of Price Administration for a ceiling price for each item for which he is making application for priorities assistance under this program. He must use substantially the following certification, signed as provided in Priorities Regulation 7:

The undersigned certifies, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he has obtained written approval from the Office of Price Administration of a ceiling price for each item for which he is making application for priorities assistance under this program.

The standard form of certification given in Priorities Regulation 7 may not be used instead. This certification must accompany the applicant's form WPB-3732.

(g) Each person who applies for priorities assistance under this program must, if he is the owner of the facilities, so state under the section entitled "Remarks" in Form WPB-3732. If he is not the owner of the facilities, he must state, under the "Remarks" section, what facilities he controls to a stated capacity for the production of the particular item and

the number of such items the owner of the facilities has contracted to produce for the applicant during April, May and June, 1945.

(h) Each person who applies for priorities assistance under this program for any item from 20 through 33, inclusive, must state under the section entitled "Remarks" the total poundage of machine knitting yarns used by him for all purposes for the year 1943 on knitted outerwear. No person applying for any item from 20 through 33, inclusive, shall apply for a total number of dozens of any single item or combination of items which will require a greater yarn poundage than one-quarter of such 1943 yarn consumption figure. However, any person who did not use machine knitting yarn for knitted outerwear during 1943 may apply for a reasonable amount of yarn, and his application will be considered on an equitable basis.

(i) Any person not owning production facilities or not having control of the owner's production facilities may apply for priorities assistance under this program. Such person must state in detail the reasons why he should be granted priorities assistance under this program.

(j) Paragraphs (d) (1) and (d) (2) of Conservation Order M-328B do not apply to this program.

(k) Applications which are not completely and accurately filled out may be denied.

Issued this 29th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-5039; Filed, Mar. 29, 1945;  
11:17 a. m.]

## PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 100]

## AMYL ALCOHOL AND AMYL ACETATE

§ 3293.10100 Schedule 100 to General Allocation Order M-300—(a) Definitions.

(1) "Amyl alcohol" means any aliphatic alcohol having the empirical formula C<sub>5</sub>H<sub>10</sub>O, of any grade and from whatever source derived. The term includes a mixture of isomeric forms of amyl alcohol, but does not include amyl alcohol in the unrefined form known as crude fusel oil.

(2) "Amyl acetate" means the acetic esters of amyl alcohols.

(b) General provisions. Amyl alcohol and amyl acetate are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is April 1, 1945. The allocation period is the calendar month. The small order exemption without use certificate is 34 pounds of amyl alcohol and amyl acetate in the aggregate per person per month.

(c) Suppliers' applications on WPB-2947. Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947. Filing date is the 20th day of the month before the proposed delivery month, except that applications for April, 1945, shall be filed in time to reach the War Production Board on or before March 30, 1945. File separate sets of forms for amyl alcohol and amyl acetate. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-100. The unit of measure is pounds. An aggregate quan-

tity may be requested, without specifying customers' names, for delivery on un-certified exempt small orders. Fill in Table II.

(d) *Certified statements of use.* Each person placing orders for delivery of more than 34 pounds of amyl alcohol and amyl acetate in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "Penicillin", "Xanthates", or in terms of any other specified product. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license or UNRRA requisition number).

(e) *One time report on WPB-3442.* Each person who accepts delivery of more than 34 pounds of amyl alcohol and amyl acetate in the aggregate from all suppliers during March, 1945 shall file a one time report not later than April 15, 1945 on Form WPB-3442 with the War Production Board, Chemicals Bureau, Washington 25, D. C. Any person who did not receive that quantity during March shall file this report on or before the 15th day of the month following the first month after March in which he accepts delivery of 34 pounds of amyl alcohol and amyl acetate in the aggregate from all suppliers. This report need be filed only once and shall be filled in as follows:

(1) *Number of copies and sets.* Separate sets of forms shall be filed for amyl alcohol and amyl acetate, and one copy of each shall be forwarded to the War Production Board.

(2) *Heading.* In space (1) specify either amyl alcohol or amyl acetate; in space (2) specify pounds; in space (3) specify M-300-100; and fill in the rest of the columns as indicated.

(3) *Section I.* Fill in Column (a) as indicated and leave Column (b) blank. A person who produces both amyl alcohol and amyl acetate shall specify in the amyl alcohol report the quantity of amyl alcohol which he used to make amyl acetate (by specifying "amyl acetate" in Column (a) and the quantity in Column (c) as indicated). In the heading of Column (c) specify "Last 6 mo. of 1944"; and in Column (c) specify quantity used for each purpose shown in Column (a).

(4) *Section II.* Leave Column (a) blank. If the report is filed on or before April 15, 1945 specify "April 1, 1945" in the heading of Column (b). If the report is filed later, specify the first day of the current month in the heading of Column (b). In Column (b) specify stocks on hand as of the date indicated in the heading. Leave Columns (c) and (d) blank.

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bu-

reau, Washington 25, D. C., Ref: M-300-100.

Issued this 28th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-5024; Filed, Mar. 28, 1945;  
4:29 p. m.]

#### PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-259, as Amended Mar. 29, 1945]

##### PHYSICAL THERAPY EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of physical therapy equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.86 General Limitation Order L-259—(a) *Definitions.* For the purposes of this order:

(1) "Physical therapy equipment" means apparatus, equipment, devices and appliances designed to produce, generate, apply or administer spectral rays (except X-rays), electrical currents, mechanical stimuli, heat, refrigerants, liquids, gases or vapors to man or other animals in a manner designed to produce therapeutic effect or to destroy body tissue. The term shall include only the following articles, as each is hereinafter defined: medical diathermy units; surgical diathermy units; fever cabinets; infra-red generators; galvanic generators; faradic generators; sinusoidal generators; low voltage generators; magnetic field generators; whirlpool baths; electric massagers; bath cabinets; passive vascular exercise apparatus; baldness treatment devices; ultra-violet radiation equipment; electric bakers; and heat applicators. The term shall not include any parts or materials for the repair or maintenance of existing equipment.

(2) "Medical diathermy unit" means any instrument designed to produce heat for therapeutic purposes within the body tissues by means of a high frequency electric current generated by a spark gap or a vacuum tube type of oscillator. The term shall include "conventional" or long wave diathermy, short wave diathermy, and ultra short wave diathermy.

(3) "Surgical diathermy unit" means a diathermy unit employing a high frequency electric current which is designed for the performance of surgical procedures by cutting, coagulation and/or dessication and which is not adaptable for medical diathermy treatment.

(4) "Fever cabinet" means a cabinet or bag designed to induce fever artificially by radiant or induced heat.

(5) "Infra-red generator" means a fixture, with a reflector of a type other than those types used in electric bakers, which contains a heating element and which is designed to produce therapeutic effect.

The heating element may be either an incandescent lamp, a carbon or a radiant cone, coil or disc.

(6) "Galvanic generator" means a generator designed to deliver and apply direct current (galvanic current) to the body tissues or to deposit the ions of certain salts in solution into the body tissues.

(7) "Faradic generator" means a generator designed to deliver and apply induced electric current (faradic current) to the body tissues.

(8) "Sinusoidal generator" means a generator designed to deliver and apply sinusoidal current to the body tissues.

(9) "Low voltage generator" means a generator designed to deliver and apply two or all three of the following currents to the body tissues: faradic, galvanic and sinusoidal.

(10) "Magnetic field generator" means a device designed to produce therapeutic effect by creating a magnetic field in the body tissues. However, the term does not include "medical diathermy units" or "surgical diathermy units".

(11) "Whirlpool bath" means a container designed to circulate thermally controlled liquids around portions of the body to produce therapeutic effect. The term shall include, but not by way of limitation, arm and leg baths and underwater exercise tanks.

(12) "Passive vascular exercise apparatus" means apparatus designed to apply alternating negative and positive pressures to portions of the body, but the term shall not include "iron lungs" nor baldness treatment devices.

(13) "Baldness treatment device" means any device or equipment designed to check or treat baldness by applying alternating negative and positive pressures to the scalp.

(14) "Ultra-violet radiation equipment" means a fixture, with a reflector, containing a generator designed to radiate ultra-violet spectral energy to produce therapeutic effect. The generator element may be an incandescent lamp, a carbon arc or a quartz-mercury glow discharge tube or bulb.

(15) "Electric massager" means any device which is designed to massage the human body and which utilizes an electric motor, electronic tubes, oscillating tubes, or any combination thereof. The term shall include, but not by way of limitation, electric vibrators and reducing machines.

(16) "Bath cabinet" means a cabinet or box designed to enclose the body for the purpose of administering either moist or dry heat.

(17) "Electric baker" means a device designed for local and general application of radiant heat which utilizes a roof-like reflector and two or more incandescent light bulbs or electric heating elements, or in some cases both incandescent bulbs and electric heating elements.

(18) "Heat applicator" means any device, appliance or equipment which utilizes liquids, air, or any other substance or material and which is designed to apply heat to the body for therapeutic pur-

## FEDERAL REGISTER, Friday, March 30, 1945

poses, other than medical diathermy units, surgical diathermy units, fever cabinets, infra-red generators, whirlpool baths, paraffin baths, therapeutic lamps, bath cabinets, electric bakers, hot water bottles and chemical bags, and accessories used in connection with such articles.

(19) "Hospital" means any institution named on the list of hospitals listed by the American Medical Association, or any other institution for the care of the sick and disabled which has five or more beds for patients.

(20) "Licensed medical practitioner" means any person located in the United States, its territories or possessions, or the Dominion of Canada who is licensed by the competent legal authority to practice medicine or any of the healing arts and whose license permits him to use physical therapy equipment in his practice.

(21) "Persons" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(22) "Distributor" means any person located in the United States, its territories or possessions, or the Dominion of Canada, who purchases physical therapy equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of physical therapy equipment.* No person shall manufacture or continue the manufacture of any physical therapy equipment except the permitted items listed on Schedule A, attached hereto.

(c) *Restrictions on sale and delivery of physical therapy equipment.* (1) No person shall sell, rent or deliver any fever cabinet, galvanic generator, low voltage generator, magnetic field generator, medical diathermy unit, passive vascular exercise apparatus, surgical diathermy unit, whirlpool bath, or bath cabinet, except to or for the account of the following persons:

(i) The Army or Navy of the United States, the Veterans Administration, the United States Maritime Commission and the War Shipping Administration;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Office of Economic Warfare or the Foreign Economic Administration;

(iv) Any hospital (as defined in paragraph (a) (19)), or any medical department of an industrial concern, for the use of such hospital or medical department;

(v) Any licensed medical practitioner (as defined in paragraph (a) (20)), for use in practicing his profession;

(vi) Any distributor, for delivery to persons to whom delivery is authorized to be made by the terms of this paragraph (c) (1).

(2) No person shall sell, rent or deliver any electric baker, infra-red generator,

or ultra-violet radiation equipment, except to or for the account of:

(i) Any person listed in paragraphs (i) through (v) of paragraph (c) (1) above;

(ii) Any person who presents a written order or prescription, signed by a licensed medical practitioner, calling for such equipment; or

(iii) Any distributor, for delivery to persons to whom delivery is authorized to be made by the terms of this paragraph (c) (2).

(3) The restrictions of paragraphs (c) (1) and (c) (2) shall not apply to the sale, delivery or rental of rebuilt equipment or any equipment which has at any time been sold to an ultimate user. The restrictions do apply, however, to the sale, delivery or rental of equipment which has previously been rented but not sold.

(d) *Restriction on the purchase of physical therapy equipment.* No person shall purchase, rent or accept delivery of any physical therapy equipment, if he knows or has reason to believe that the sale, rental and delivery of such physical therapy equipment is prohibited by the terms of paragraph (c) of this order.

(e) *Reports.* On or before July 10, 1944, and on or before each October 10th, January 10th, April 10th and July 10th thereafter, each manufacturer of electric bakers, infra-red generators, or ultra-violet radiation equipment shall file with the War Production Board, Washington 25, D. C., 3 copies of a letter containing a report of shipments of these items made during the preceding calendar quarter. (The first report should show the shipments made from April 7, 1944, to July 1, 1944.) Shipments should be reported by dollar value, and dollar values should be calculated on the basis of the manufacturer's list price. One total figure should be given for shipments of electric bakers, infra-red generators and ultra-violet radiation equipment, and a separate figure for shipments of each of these items is not required. Shipments to the Army and Navy of the United States, the Veterans Administration, the United States Maritime Commission, the War Shipping Administration and Lend-Lease should not be included in the figure. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L-259.

Issued this 29th day of March 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A

In accordance with the provisions of paragraph (b) of this order, no person is permitted to manufacture any physical therapy equipment except the items listed in this schedule.

Bath cabinet.  
Electric baker.  
Fever cabinet.  
Galvanic generator.  
Infra-red generator.  
Low voltage generator.  
Magnetic field generator.  
Medical diathermy unit.  
Passive vascular exercise apparatus.  
Surgical diathermy unit.  
Ultra-violet radiation equipment.  
Whirlpool bath (No metal other than sheet carbon steel, enameled, or alloy steel is permitted in the construction of the tank body).

[F. R. Doc. 45-5035; Filed, Mar. 29, 1945;  
11:17 a. m.]

## Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION  
[Gen. RO 5, Amdt. 100]

## FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

General Ration Order No. 5 is amended in the following respects:

1. Section 9.9 (d) is added to read as follows:

(d) *Exception in case of certain Group II and eleemosynary and educational Group III, V, and VI users.* Group II, and eleemosynary and educational Group III, V, and VI institutional users who produce home processed foods from fruits and vegetables in the way described in section 28.9 may apply to the Board to have the amounts of such processed foods deducted from the amount reported under item (1) of section 18.4 (a) and under section 18.6 (a). Applica-

<sup>1</sup> 8 F.R. 1002, 11676, 11480, 11470, 112783, 12557, 12403, 12744, 14472, 15488, 16787, 17486; 9 F.R. 401, 455, 702, 1810, 2212, 2287, 2252, 2476, 2789, 3030, 3075, 3340, 3704, 4577, 4196, 4393, 4647, 4783, 5041, 5232, 5684, 5826, 5915, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813.

tion may be made to the Board between April 2, 1945, and April 30, 1945, on OPA Form R-315, and must state the quantity of such home processed foods included in the amount reported under item (1) of section 18.4 (a) and under section 18.6 (a). If the Board finds that the statements in the application are true, it shall, when it makes the computations required by this section, deduct the quantity of such home processed foods from the amount previously reported under item (1) of section 18.4 (a) and under section 18.6 (a).

2. Section 9.9 (e) is added to read as follows:

(e) *Seasonal and other users.* If an institutional user (other than a Group I user) did not receive allotments of rationed food for the January-February 1945 allotment period, the Board shall, for the purposes of this Section, use under paragraphs (a)(1), (b)(1), and (c)(1)(i) the amount of the last allotment for a full allotment period granted to him for each rationed food.

This amendment shall become effective April 2, 1945.

**NOTE:** All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1945.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5047; Filed, Mar. 29, 1945;  
11:38 a. m.]

#### PART 1305—ADMINISTRATION

[Gen. RO 8.<sup>1</sup> Amdt. 11]

##### GENERAL PROHIBITIONS, PENALTIES AND CONDITIONS

General Ration Order No. 8 is amended by adding a new section 2.21 to read as follows:

**SEC. 2.21 Authority to vary or grant exceptions to any provision of any ration order.** Unless expressly so authorized, in writing, by the Administrator or Deputy Administrator in Charge of Rationing, no official or employee of a Board or of any office of the Office of Price Administration, or any other person, is authorized to vary, or otherwise grant exceptions to, any provision of any ration order.

This amendment shall become effective April 2, 1945.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WFB Directive 1, 7 F.R. 562; Sec. of Agr. War Food Order Nos. 56, 58, 59, 61, 64, 8 F.R. 2251, 3471, 7093)

Issued this 29th day of March 1945.

JAMES G. ROGERS, JR.,  
Acting Administrator.

[F. R. Doc. 45-5048; Filed, Mar. 29, 1945;  
11:39 a. m.]

<sup>1</sup> 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196, 4878, 7419; 10 F.R. 860.

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 182]

##### MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Ration Order 5C is amended in the following respects:

Section 1394.8213 is amended to read as follows:

**§ 1394.8213 Summary of coupons.** (a) Each dealer shall, prior to every delivery by him of coupons or other evidences to a transferor of gasoline, prepare in duplicate, on Form OPA R-541, a summary of coupons and other evidences in the manner directed thereon, certifying the number of each type of coupons or other evidences to be delivered. The original of this summary shall be delivered to the transferor attached to the coupons and other evidences and the transferor shall obtain the delivery of the summary which shall be retained at his place of business for a period of not less than one year. The copy shall be retained by the dealer at his place of business for a period of not less than one year.

(b) Where a transfer of gasoline is based on surrender of evidences made in advance of or simultaneously with the transfer, the transferor shall not make the transfer unless the evidences are accompanied by the original summary required by paragraph (a) of this section.

(c) Where a transfer of gasoline is based upon a delayed surrender of coupons and evidences pursuant to § 1394.8209 and the transferee has failed to deliver the original summary attached to the coupons and evidences, the transferor shall make a diligent effort to obtain the summary and shall report the failure to receive the summary to the District Office.

This amendment shall become effective April 2, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W. P. B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5045; Filed, Mar. 29, 1945;  
11:38 a. m.]

#### PART 1404—RATIONING OF FOOTWEAR

[RO 6A.<sup>1</sup> Amdt. 16]

##### MEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 6a is amended in the following respects:

1. Section 2.19 is added to read as follows:

<sup>1</sup> 8 F.R. 9458, 11685, 15704; 9 F.R. 604, 946, 2232, 2302, 3943, 5379, 6361, 7202, 11178, 11961; 10 F.R. 255.

**SEC. 2.19 Damaged and mismatched rubber footwear may be transferred as non-rationed.** Any establishment that has single rubber boots which cannot be mated, or rubber footwear which cannot be sold for a certificate because it has been damaged by fire or other accidental cause, may be authorized by the District Office to transfer such rubber footwear without certificates in accordance with the following provisions:

(1) Application to transfer such rubber footwear without certificates shall be made to the District Office serving the locality in which the establishment is located. The application need not be on any prescribed form but shall contain or be accompanied by the following information:

(i) With respect to single boots which cannot be mated, the quantity and type and a statement that such boots cannot be mated.

(ii) With respect to boots which have been damaged by fire or other accidental causes, a statement showing the quantity and type and the nature and extent of the damage.

(2) The District Office, if it approves the application in whole or in part, shall state its approval in writing and shall attach thereto a copy of the list of rubber footwear submitted by the applicant. The District Office shall also mark on this list the specific rubber footwear authorized to be transferred ration-free. The District Office shall issue to the applicant official non-rationed stickers (OPA Form R-123 with the words "Non-Rationed Rubber Footwear" and the type number stamped or printed thereon) equal to the number of single boots and pairs of damaged rubber boots to be transferred ration-free. The District Office (or applicant if required by the District Office) shall write or print on each such sticker the words "Mismatch" or "Damaged" as the case may be.

(3) Before such rubber footwear may be transferred or offered for sale without certificates under this paragraph, the applicant shall attach a non-rationed sticker to each single boot and one boot of each damaged pair to be so transferred.

(4) Rubber footwear marked in accordance with subparagraph (3) above may be transferred without certificates only if the price charged does not exceed \$1.00 per pair (or 50¢ for a single boot).

(5) The establishment shall attach to its inventory form (OPA Form R-601A) the written approval of the District Office, together with the list of rubber footwear authorized to be transferred as non-rationed. This shall be in lieu of any reporting requirement of section 2.2 (c).

This amendment shall become effective April 2, 1945.

**NOTE:** The reporting and record-keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5046; Filed, Mar. 29, 1945;  
11:38 a. m.]

## PART 1404—RATIONING OF FOOTWEAR

[RO 17<sup>1</sup>, Amdt. 95]

## SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (14) is amended to read as follows:

(14) Infants' footwear of size 4 or smaller transferred before May 1, 1945. (All transfers and imports of such footwear on and after this date must be accompanied by the surrender of ration currency.)

2. Section 2.13 (a) (1) is amended by deleting the fourth sentence.

3. Section 2.13 (b) (9) (ii) is added to read as follows:

(ii) In case non-rationed shoes are given a rationed status by order of the Office of Price Administration, a list of the type and number of pairs given a rationed status, which the establishment had in inventory, or in transit to it, or in storage for it at a place other than an establishment, at the time of the change in rationed status.

4. Section 2.14 (c) is amended to read as follows:

(c) The manufacturer shall furnish all information required by the form or by the accompanying instructions. A manufacturer shall in his report for the calendar month of April 1945 add to the number of pairs of rationed shoes on hand at the close of the reporting period, the number of pairs of infants' shoes in sizes 0 to 4 which are in inventory, or in transit to him, or in storage for him as of the close of business on April 30, 1945. His normal closing inventory for April and the number of pairs of shoes so added to his April closing inventory shall be shown as separate items.

5. Section 3.8 (b) is deleted.

This amendment shall become effective May 1, 1945.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5044; Filed, Mar. 29, 1945;  
11:39 a. m.]

<sup>1</sup> 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254, 5805, 6233, 6647, 6455, 7080, 7773, 8254, 8339, 8340, 8931, 9355, 9901, 10589, 10984, 10985, 11638, 11763, 12039, 12271, 12812, 13134, 13607, 13992, 14017, 14496; 10 F.R. 521, 1103 1649, 1739, 2014.

## TITLE 42—PUBLIC HEALTH

## Chapter I—United States Public Health Service, Federal Security Agency

## PART 8—GRANTS TO STATES FOR FISCAL YEAR 1945 FOR ACTIVITIES RELATING TO THE PREVENTION, TREATMENT, AND CONTROL OF TUBERCULOSIS

Sec.

- 8.1 Definitions.
- 8.2 Allotments; determination of amounts.
- 8.3 Allotments; time of making; notice to States.
- 8.4 Payments to States.
- 8.5 Required expenditure of State and local funds.
- 8.6 State plans; time of submission.
- 8.7 State plans; contents.
- 8.8 Required administrative standard; State plans; personnel administration on a merit basis.
- 8.9 Required administrative standard; State plans; training of personnel.
- 8.10 Required administrative standard; State plans; expenditures.
- 8.11 Required administrative standard; State plans; reports.

AUTHORITY: §§ 8.1 to 8.11, inclusive, issued under sec. 314, 58 Stat. 695; 42 U.S.C., Supp. 246.

§ 8.1 Definitions. As used in this part:

"Act" means the Public Health Service Act;

"State" includes any State, the District of Columbia, Hawaii, Alaska, Puerto Rico, and the Virgin Islands;

"Federal funds" means funds appropriated by Congress for carrying out the purposes of subsection (b) of section 314 of the Public Health Service Act for the fiscal year 1945;

"State funds" means public funds available for expenditure by public authorities of a State for carrying out the purposes of subsection (b) of section 314 of the act in accordance with a State plan;

"Local funds" means public funds available for expenditure by public authorities of any political subdivision of a State, for carrying out the purposes of subsection (b) of section 314 of the act in accordance with a State plan;

"Political subdivision" includes counties, health districts, municipalities and other subdivisions of the State established for governmental purposes;

"State health authority" means the highest State official whose principal duties are the administration of State health activities;

A "State plan" means proposals, including budgets, submitted by the State health authority pursuant to these regulations for activities of the State and political subdivisions thereof for the prevention, treatment, and control of tuberculosis;

"Official forms" means forms supplied by the Public Health Service to the State health authority for use in the submittal of a State plan and for information required with respect to the operation of such plan;

"Population" as applied to any State means total population according to the latest official estimate of the United

States Census Bureau at the time an allotment is made pursuant to subsection (b) of section 314 of the act;

"Financial need" as applied to any State means the relative per capita income as shown by data supplied by the Bureau of Foreign and Domestic Commerce for the most recent five-year period;

The "size of the tuberculosis problem" of any State shall be determined by the Surgeon General taking into consideration such factors as the morbidity of the disease, the mortality attributed to the disease, the relative need among the States of facilities for diagnosis and treatment of tuberculous persons, the potential increased incidence of the disease occasioned by war congestion, and the number of non-resident tuberculous persons within the State.

§ 8.2 Allotments; determination of amounts. From the total sum determined by the Surgeon General to be available for the fiscal year 1945 for allotment among the States for the purposes of subsection (b) of section 314 of the act, allotments will be made to States on the basis of population, financial need and the size of the tuberculosis problem of the respective States.

§ 8.3 Allotments; time of making; notice to the States. Allotments pursuant to subsection (b) and (d) of section 314 for the final quarter of the fiscal year 1945 shall be made prior to the beginning of that quarter or as soon thereafter as may be practicable and shall constitute the entire amount available for allotment among the States for such program for the fiscal year 1945. The State health authorities shall be notified of allotments made to their respective States.

§ 8.4 Payments to States. Prior to the beginning of the final quarter of the fiscal year 1945, the State health authority shall submit for such quarter an estimate of required expenditures under the State plan. Upon the approval of such estimates or any revision thereof, the Surgeon General with the approval of the Administrator, shall determine the amount of the Federal payment to be made to the State for such quarter or for such period as he might designate, from the allotment to such State. The amount otherwise payable to the State for any period shall be reduced by the amount equal to the excess of the amount paid to the State for any prior period over the amount required for actual expenditure in such period or shall be increased by an amount equal to the excess of the amount required for actual expenditure for any prior period over the amount paid to the State for such period.

§ 8.5 Required expenditure of State and local funds. Moneys paid to any State pursuant to subsection (b) of section 314 of the act for the fiscal year 1945 shall be paid upon the condition that there be expended in such State, during such fiscal year and for purposes specified in the State plan with respect to which the payment is made, State and local funds in an amount equal to at

least 50% of the amount of such funds for the expenditure of which the State has made provision in its plan.

**§ 8.6 State plans; time of submission.** Each State making application for grants under subsection (b) of section 314 of the act for the fiscal year 1945 shall, by its State health authority, submit a plan for carrying out the purposes of such subsection. Such plan should be submitted prior to March 31, 1945. Each State presenting a plan shall be notified that such plan has or has not been approved.

**§ 8.7 State plans; contents.** A State plan shall:

(a) State the purpose for which application is made; the prevention, treatment and control of tuberculosis;

(b) Identify the documents, including official forms, compromising the plan;

(c) State the period for which the plan is submitted, or state that it is submitted as a continuing plan subject to amendment and to the submission of budgets and information required for future budgetary periods;

(d) Include for each period for which Federal funds are requested:

(1) A budget of estimated receipts and expenditures under the plan, including proposed reallocations of funds to other State and local governmental agencies;

(2) A certification as to the availability of State and local funds for expenditure in an amount necessary for carrying out the State plan;

(e) Include a description of:

(1) The proposed public health activities and projects for carrying out the purposes of the plan;

(2) The State public health organization, indicating lines of administrative authority from the State health authority and lines of administrative control, affiliation or cooperation with other public agencies participating in the plan;

(3) The location and functions of principal offices, hospitals, clinics, and other physical facilities which will be used in carrying out the plan;

(f) State that the plan, if approved, will be carried out in accordance with the regulations in this part.

**§ 8.8 Required administrative standard; State plans; personnel administration on a merit basis.** A system of personnel administration on a merit basis shall be established and maintained with respect to State and local public health agencies receiving financial assistance through grants made pursuant to the regulations in this part. Standards for evaluating compliance with this requirement are contained in "Merit System Policies of the Public Health Service", as revised.

**§ 8.9 Required administrative standard; State plans; training of personnel.** When Federal funds paid pursuant to subsections (b) and (d) of section 314 of the act and the regulations in this part are utilized for the training of personnel for State or local health work, such training shall be conducted in accordance with the "Training Policies of the United States Public Health Service", as revised.

**§ 8.10 Required administrative standard; State plans; expenditures.** Federal funds paid to a State pursuant to subsections (b) and (d) of section 314 of the act and the regulations in this part shall be expended solely for the purposes specified in the plan and budgets approved by the Surgeon General and shall be accounted for separately from all other funds. Federal funds shall not be used in such a manner as to result in a reduction of State and local appropriations or expenditures for the prevention, treatment, and control of tuberculosis.

**§ 8.11 Required administrative standard; State plans reports.** The State health authorities shall submit with respect to a plan approved by the regulations in this part such financial reports and activity reports on official forms as are prescribed by the Surgeon General.

**Effective date.** These regulations shall become effective upon the date of their publication in the FEDERAL REGISTER but shall be operative only with respect to appropriations made pursuant to and for the purposes of subsection (b) of section 314 of the act for the fiscal year 1945.

Dated: March 22, 1945.

[SEAL]

THOMAS PARRAN,  
Surgeon General.

Approved: March 28, 1945.

PAUL V. McNUTT,  
Federal Security Administrator.

[F. R. Doc. 45-5033; Filed, Mar. 29, 1945;  
11:04 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### Subchapter B—Carriers by Motor Vehicle

##### PART 216—DEVIATION FROM AUTHORIZED ROUTES

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22d day of March, A. D. 1945.

The matter of the occasional deviation by common carriers of passengers or property by motor vehicle from the routes over which, or the fixed termini between which, such carriers are authorized to operate under the certificates held by them, and the prescription under section 208 (b) of the Interstate Commerce Act of rules and regulations applicable thereto, being under consideration; and

It appearing, that from time to time the closing of various public highways for repairs or rebuilding temporarily prevents operation over the regular routes, or segments thereof, or between the fixed termini, over which or between which common carriers by motor vehicle are authorized to operate; that from time to time snow, ice, flood waters, forest fires, frost boils, fallen trees, wind storms, earth slides, or other occurrences beyond the control of common carriers

by motor vehicle, temporarily block the regular routes, or segments thereof, over which such common carriers are authorized to operate or temporarily make operation over such routes or segments thereof unsafe; that from time to time federal, state, county, or other government officials, in the exercise of police powers, prohibit the operation of any motor vehicles or of certain types of motor vehicles over various regular routes, or segments thereof, over which common carriers by motor vehicle are authorized to operate; that under section 208 (b) of the act common carriers of property or passengers by motor vehicle may occasionally deviate from the regular routes over which, or the fixed termini between which, they are authorized to operate under such rules and regulations as we may prescribe; and that the rules and regulations set forth in the next succeeding paragraphs hereof are reasonable; it is ordered, that:

**§ 216.1 Route deviation authorized subject to conditions.** That when the closing of any public highway for repairs or rebuilding prevents the operation of the equipment of a common carrier by motor vehicle over a regular route, or a segment thereof, or between the fixed termini, over which or between which such carrier is authorized to operate, or when snow, ice, flood waters, forest fires, frost boils, fallen trees, wind storms, earth slides, or other occurrences beyond the control of a common carrier by motor vehicle temporarily block a regular route, a segment thereof, over which such common carrier is authorized to operate or temporarily makes operation of the equipment of such carrier over such route, or segment thereof, unsafe, or when a federal, State, county, or other government official, in the exercise of police powers, temporarily prohibits the operation of the motor vehicles of a common carrier by motor vehicle over a regular route, or segment thereof, over which such common carrier is authorized to operate, such carrier may deviate from such regular route, or segment thereof, or fixed termini and operate its equipment over a detour route, utilizing whenever possible the detour route, if any, designated by the governmental authority exercising control over the public highway which has been closed, or blocked, or rendered unsafe, or over which operation has been prohibited, subject to the following conditions:

(a) That so far as suitable detour routes are available the carrier will continue to furnish adequate service at all points which it is authorized to serve.

(b) That the carrier may not, by reason of this section, serve any point or place which such carrier is not otherwise authorized to serve,

(c) That deviation from an authorized route is not to be continued for any period of time in excess of 30 consecutive calendar days unless, and, until, the carrier shall give notice to the Commission in writing, of its intention to deviate from its route, completely identifying the route, or segment thereof, over which operations will be temporarily discontinued and, also, the route or detour over

which its vehicles will operate. Such notice to be accompanied by a written statement from the federal, state, or municipal highway engineer or official exercising jurisdiction over the segment of the route being discontinued containing the following:

(1) The nature of the circumstance, or condition, which prevents operation of the carrier's vehicles over the said segment of route.

(2) The period of time during which, in his opinion, the said carrier will be prevented from operating over said segment of route.

(3) Identification of the official detour established.

(d) That the carrier shall resume operations immediately over the regular route over which, and between the fixed termini between which, such carrier is authorized to operate after the removal of the condition or circumstance which made such deviation necessary and shall thereupon discontinue operation over the detour route or routes which were temporarily used.

It is further ordered, that this order shall become effective on the 1st day of May, A. D. 1945, unless otherwise ordered.

And it is further ordered, that notice of this order shall be given to the general public by depositing a copy hereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy hereof with the Director of the Division of the Federal Register.

(49 Stat. 552)

By the Commission, Division 5.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-5032; Filed, Mar. 29, 1945;  
10:47 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Office of the Secretary.

#### COLONIAL NATIONAL HISTORICAL PARK, YORKTOWN, VA.

#### ORDER TRANSFERRING PARTIAL JURISDICTION FROM DEPARTMENT OF THE INTERIOR TO DEPARTMENT OF THE NAVY

By virtue of the authority vested in me by the act of December 23, 1944 (Public Law 559, 78th Congress, 2d Session), it is ordered as follows:

Subject to existing leases, licenses, and easements, the following-described land constituting a portion of the Colonial National Historical Park, Yorktown, Virginia, is hereby transferred to the control and jurisdiction of the Secretary of the Navy:

Beginning at a point on the existing property line between the United States naval mine depot and the Colonial National Monument Parkway properties, said point being a fence corner 765 feet, more or less, southeast of the marine barracks gate; thence S. 56°38' E., 53.15 feet, more or less; thence S. 50°16' E., 312 feet, more or less; thence S. 39°44' W., 125.07 feet, more or less, to the

property line between the United States naval mine depot and the Colonial National Monument Parkway; thence along the said property line N. 39°54' W., 128.96 feet, more or less; thence continuing along said property line N. 28°18' W., 256.59 feet, more or less, to the point of beginning; containing 0.621 acres, more or less.

Dated: March 24, 1945.

[SEAL] ABE FORTAS,  
Acting Secretary of the Interior.

[F. R. Doc. 45-5026; Filed, Mar. 29, 1945;  
9:46 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6749]

WHEB, INC.

#### NOTICE OF HEARING

In re application of WHEB, Inc. (WHEN), dated February 5, 1945, for construction permit to change frequency, power and hours of operation; class of service, Broadcast; class of station, Broadcast; location, Portsmouth, New Hampshire; operating assignment specified: Frequency, 1430 kc.; Power, 250 w. night, 1 kw. day; hours of operation: Unlimited. File No. B1-P-3853.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the areas and populations which may be expected to gain or lose primary broadcast service from the proposed operation of Station WHEB and the character of other broadcast services available to such areas and populations.

2. To determine the type and character of program service which the applicant may be expected to render and the extent to which such service is now being rendered by any other station serving the proposed area in whole or in part.

3. To determine the extent of any interference which would result from the simultaneous operation of Station WHEB at night, as proposed, and from the operation of Station WBYN, Brooklyn, New York, as well as the areas and populations affected thereby and the nature of other broadcast services available to those areas and populations.

4. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

5. To determine whether the proposed operation of Station WHEB at its present transmitter site would be satisfactory and consistent with the Commission's Standards of Good Engineering Practice.

6. To determine whether the granting of this application would be consistent with the Commission's Standards of Good Engineering Practice in view of the expected nighttime limitation to the proposed service of Station WHEB.

7. To determine whether the proposed operation of Station WHEB with power of 250 watts at night would be consistent

with the Commission's rules and regulations and its Standards of Good Engineering Practice.

8. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944, as supplemented on January 16, 1945.

9. To determine whether the granting of this application would be otherwise consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, as supplemented in the statements of policy of January 26, 1944 and January 16, 1945.

10. To determine whether, in view of the facts to be adduced under the foregoing issues, a grant of the application would serve public interest, convenience, or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: WHEB, Inc., Radio Station WHEB, P. O. Box 120, Portsmouth, New Hampshire.

Dated at Washington, D. C. March 24, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-5022; Filed, Mar. 28, 1945;  
3:36 p. m.]

### FEDERAL POWER COMMISSION.

[Docket No. IT-5939]

MONTANA-DAKOTA UTILITIES CO.

#### NOTICE OF APPLICATION

MARCH 24, 1945.

Notice is hereby given that on March 23, 1945, an application was filed with the Federal Power Commission, pursuant to Section 204 of the Federal Power Act, by Montana-Dakota Utilities Co., a corporation organized under the laws of the State of Delaware and carrying on electric and gas utilities business in the States of Montana, North Dakota and South Dakota, and a gas utility business in the State of Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of \$2,500,000 of First Mortgage 2% Serial Bonds due in stated amounts on April 1 of each of the years 1946 to 1953, inclusive, and \$7,500,000 of First Mortgage Bonds, 3% Series due April 1, 1965, of which \$4,500,000 are to

be retired before maturity through the operation of a sinking fund providing for the retirement of bonds in stated amounts on or before April 1 of each of the years 1954 to 1964, inclusive; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 12th day of April, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules or practice and regulations.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-5018; Filed, Mar. 28, 1945;  
2:50 p. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4610]

ALBERT E. R. SPEIDEL, JR., AND ELEANOR  
E. SPEIDEL

In re: Real property, a bank account and property insurance policies owned by Albert E. R. Speidel, Jr., and Eleanor E. Speidel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Albert E. R. Speidel, Jr., and Eleanor E. Speidel are respectively 29 Strasse der S. A. Gotha, Germany, and 6 Bosestrasse, Leipzig, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Albert E. R. Speidel, Jr., and Eleanor E. Speidel are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of Providence, State of Rhode Island, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Albert E. R. Speidel, Jr., and Eleanor E. Speidel in and to the following property insurance policies, insuring the improvements on the premises described in subparagraph 3-a hereof:

(i) Policy Number 460105 issued by the North British & Mercantile Insurance Company, Edinburgh, Scotland;

(ii) Policy Number 40079 issued by the Fidelity-Phoenix Fire Insurance Company of New York, New York, New York;

(iii) Policy Number 22272 issued by the National Fire Insurance Company of Hartford, Connecticut;

(iv) Blanket Comprehensive Liability Insurance Policy Number 6LP-1815 issued by the Phoenix Indemnity Company of New York, New York, New York;

c. That certain bank account in the Union Trust Company, Providence, Rhode Island, held in the name of "Heirs of Albert E. R. Speidel" which is due and owing to and held for Albert E. R. Speidel, Jr., and Eleanor E. Speidel, including but not limited to all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this Order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

All those tracts or parcels of land situated in the County of Providence, State of Rhode Island, particularly described as follows:

#### PARCEL 1

That certain tract of land, with the buildings and improvements thereon, situated in the City of Providence, in the State of Rhode Island, and bounded and described as follows:

Beginning at the northwesterly corner of said tract at the intersection of the southerly

line of Wentworth Avenue and the easterly line of Roger Williams Park; thence easterly, bounding northerly on Wentworth Avenue ninety-one and 891/1000 (91.891) feet, more or less, to land now or lately of Horace M. Peck; thence southerly, bounding easterly on said Peck land to land now or lately of Charles Silverman; thence westerly, bounding southerly on said Silverman land, seventy-two and 57/100 (72.57) feet, more or less, to Roger Williams Park; thence northerly, bounding westerly on Roger Williams Park one hundred forty-one and 329/1000 (141.329) feet, more or less, to Wentworth Avenue; comprising the whole of Lot No. 31 (thirty-one) and the westerly twenty-five (25) feet in width by the entire depth of Lot No. 30 (thirty) on that plat entitled "Plat of land belonging to Alfred Anthony Estate Company (formerly the heirs of Alfred Anthony)" by J. A. Latham, November 30th, 1892" and recorded in the Records of Land Evidence in the City of Cranston in Plat Book 5 at page 33 and (copy) on Plat Card No. 47 and (copies) in the office of the Recorder of Deeds in said City of Providence in Plat Book No. 23, at page 510 and on Plat Card No. 717.

#### PARCEL 2

That tract of land situated on the southwesterly side of Old Killingly Road and on the southeasterly side of Lindbergh Avenue in the Town of Johnston and State of Rhode Island, and bounded and described as follows:

Beginning at the northerly corner of said tract at the southerly corner of said Old Killingly Road and Lindbergh Avenue; thence southeasterly bounding northeasterly on Old Killingly Road one hundred Fifty (150) feet to a corner; thence southwesterly in a line parallel with and distant one hundred fifty (150) feet southeasterly from the southeasterly line of Lindbergh Avenue and bounding southeasterly on land of these grantors, two hundred (200) feet to lot No. 40 (forty) on the plat hereinafter referred to; thence northwesterly bounding southwestery in part on Lot No. 40 (forty) and in part of Lot No. 39 (thirty-nine) on said plat one hundred fifty (150) feet to Lindbergh Avenue; thence northeasterly bounding northwesterly on said Lindbergh Avenue two hundred (200) feet to the place of beginning, containing 30,000 square feet of land.

Said tract comprises the whole of Lot No. 15 (fifteen) and the northwesterly fifty (50) feet in width by the whole depth of lot No. 14 (fourteen) on that plat entitled, "Golden View, Johnston, R. I. Walther J. Grady, Engr. March 1927, Scale 160 feet per inch" recorded in the Records of Land Evidence in said Town of Johnston on Plat Card No. 109.

[F. R. Doc. 45-5027; Filed, Mar. 29, 1945;  
10:27 a. m.]

[Vesting Order 4731]

WILHELMINE SCHOLLER AND JAKOB  
SCHOLLER

In re: Real property and bank accounts owned by Wilhelmine Scholler, also known as Mina Scholler, as Minna Scholler, and as Wilhelmina Scholler, and Jakob Scholler, also known as Jacob Scholler.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Wilhelmine Scholler, also known as Mina Scholler, as Minna Scholler, and as Wilhelmina Scholler, and Jakob Scholler, also known as Jacob Scholler, are respectively, Annweiler,

## FEDERAL REGISTER, Friday, March 30, 1945

Rhein Pfalz, Germany and Birkweiler, Rhein Pfalz, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That the persons named in subparagraph 1 hereof are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of Fresno, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. The sum of \$750, constituting a portion of that certain bank account maintained with the American Trust Company of San Francisco, California, which is due and owing to and held for and in the name of Wilhelmine Scholler, in Savings Account No. 6099, including but not limited to any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same, and

c. The sum of \$750, constituting a portion of that certain bank account maintained with the American Trust Company of San Francisco, California, which is due and owing to and held for and in the name of Jacob Scholler, in Savings Account No. 6520, including but not limited to any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same.

Is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this Order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## EXHIBIT A

All those parcels of real property located in the County of Fresno; State of California, described as follows:

*Parcel One.* East half of East half of Southeast Quarter of Section 33, Township 14 South, Range 19 East, M. D. B. & M. containing forty acres and being unimproved.

*Parcel Two.* West Half of the Southwest Quarter of Section 34, Township 14 South, Range 19 East, M. D. B. & M., containing eighty acres and being unimproved.

*Parcel Three.* Right of way for a road over a strip of land 20 feet wide off the North side of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section 34, Township 14 South, Range 19 East, M. D. B. & M.

[F. R. Doc. 45-5028; Filed, Mar. 29, 1945;  
10:27 a. m.]

[Supp. Vesting Order 4755]

## PIONEER IMPORT CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 352, dated November 11, 1942, that International Mortgage & Investment Corporation, is a business enterprise within the United States and a national of a designated enemy country (Germany);

2. Having found and determined in Vesting Order Number 354, dated November 11, 1942, that Pioneer Import Corporation is a business enterprise within the United States and a national of a designated enemy country (Germany);

3. Finding that of the outstanding capital stock of Pioneer Import Corporation, consisting of 95 shares of common stock having no par value, 5 shares are registered in the name of Banque Commerciale, S. A., and are beneficially owned by International Mortgage & Investment Corporation, which shares together with the 90 shares heretofore vested, constitute all of the outstanding capital stock of Pioneer Import Corporation and are evidence of an interest in said Corporation;

4. Finding that Pioneer Import Corporation is the owner of the property described in subparagraph 5 hereof;

5. Finding that the property now being held by the United States Collector of Customs, New York, N. Y., described as follows:

a. Two packages of unset polished diamonds marked H. K. 1718/502 and H. K. 1718/503 respectively and covered by Consular Invoice No. 832, dated December 4, 1940, in the name of Pioneer Import Corporation, under Seizure No. 17565,

b. Four packages of unset cut diamonds marked H. K. 1718/504, H. K. 1718/505, H. K. 1718/506 and H. K. 1718/507 and covered by Consular Invoice No. 114, dated February 17, 1941, under Seizure No. 22221, and

c. Seven packages of semi-precious stones, under Seizure No. 23951, more particularly described as follows:

Package No.	Consular Invoice No.	Invoice date
1257		352 May 27, 1941
1258		
1259	353	May 8, 1941
1260	354	May 14, 1941
1261	351	May 27, 1941
1262	346	May 9, 1941
1269	348	May 27, 1941

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

and determining:

6. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian 5 shares of the capital stock of Pioneer Import Corporation, more fully described in subparagraph 3 above and the property more fully described in subparagraph 5 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-5031; Filed, Mar. 29, 1945;  
10:27 a. m.]

[Vesting Order 4749]

TETSUBUMI YANO

In re: Real property and claim owned by Tetsubumi Yano.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Tetsubumi Yano is Kochi, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Tetsubumi Yano is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of Butte, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Tetsubumi Yano in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Roy Yasuo Yano, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 3-a hereof, a portion of which sums are deposited in the Bank of America National Trust and Savings Association, Gridley, California, in the name of Roy Y. Yano, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 13, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

#### EXHIBIT A

All that certain real property situate in the County of Butte, State of California, described as follows, to-wit:

Beginning at a point on the South line of the Northeast quarter of Section 20, Township 17 North, Range 3 East, Mount Diablo Base and Meridian, 1320 feet distant thereon east of the point of intersection of said half section line with the easterly line of the County Road running north and south through the center of Section 20, and running thence north 666 feet; thence east 990 feet, thence south 666 feet to the south line of the northeast quarter of Section 20; and thence in a direct line west 990 feet to the point of beginning, containing 15.136 acres, more or less. Subject to an easement in and over the north 20 feet of the above described land to be used as a public highway; and also subject to an easement in and over a strip of land 12 feet in width adjoining the southerly line of said public highway, throughout, to be used as a lateral canal.

The above described land being known as Lot 18 of The Chandon Ranch, according to the official map thereof, filed of record May 11, 1908 in the office of the Recorder of the County of Butte, State of California.

[F. R. Doc. 45-5029; Filed, Mar. 29, 1945;  
10:27 a. m.]

sellers indicated below, the maximum prices are those set forth below:

Article	Mode	Maximum prices for sales by manufacturer to—			Maximum prices for sellers other than the manufacturer to—
		Jobber	Drop ship jobber	Retailer	
Aluminum fruit juicer	Each	\$1.48	\$1.48	\$1.77	\$1.77 \$2.95
Aluminum griddle 12"	2	1.38	1.38	1.65	1.65 2.75
Aluminum frying pan	3	1.23	1.23	1.47	1.47 2.45
Aluminum dutch oven	4	2.90	2.90	3.48	3.48 5.80
Aluminum skillet	5	1.00	1.00	1.20	1.20 2.00
Aluminum hand juicer	6	.48	.48	.57	.57 .95

These maximum prices are for the articles described in the manufacturer's application dated December 16, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in.

OPA Retail Ceiling Price, \$----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of March 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4957; Filed, Mar. 28, 1945;  
11:46 a. m.]

## FEDERAL REGISTER, Friday, March 30, 1945

[MPR 188, Order 3527]

## THE POLK INDUSTRIES

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Polk Industries, 133 Carnegie Way, N. W., Atlanta 3, Ga.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum price for manufacturer to—			Maximum price for sellers other than manufacturer to—		
		Wholesaler	Chain stores	Retailers	Chain stores	User	Retailers
Clothes hamper	7B-104	Each \$2.50	Each \$3.00	Each \$3.60	Each \$3.00	Each \$3.95	Each \$3.60

These maximum prices are for the articles described in the manufacturer's application dated February 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$5.95  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of March 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4958; Filed, Mar. 28, 1945;  
11:47 a. m.]

OPA Retail Ceiling Price, \$0.19  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of March 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4959; Filed, Mar. 28, 1945;  
11:47 a. m.]

[MPR 188, Order 3528]

## CHARLES M. ROLLIT AND CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Hollywood Plastic Products Company, 1246 North Sweetzer Avenue, Los Angeles 46, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

*Article—Sink Stopper, Crumb Cup, Strainer  
"Sink King"*

Maximum prices for sales by manufacturer to:

Jobbers----- \$1.10 dozen.  
Chain stores----- \$1.30 dozen.  
Other retailers----- \$1.36 dozen.

Maximum prices for sales by other than the manufacturer to:

Chain stores----- \$1.30 dozen.  
Other retailers----- \$1.36 dozen.  
Consumers----- \$0.19 each.

These maximum prices are for the articles described in the manufacturer's application dated December 23, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Article	Maximum price (each)
Open end ratchet wrench $\frac{7}{16}'' \times \frac{1}{2}''$	\$0.65
Open end ratchet wrench $\frac{9}{16}'' \times \frac{5}{8}''$	.75
Open end ratchet wrench $\frac{3}{4}'' \times \frac{7}{8}''$	.80
Open end ratchet wrench $1'' \times 1\frac{1}{8}''$	.95

(ii) The maximum prices for sales to retailers are the maximum prices for sales to consumers less 33 1/3 percent.

(iii) The maximum prices for sales to jobbers are the maximum prices for sales to consumers less 50 percent and 10 percent.

(iv) The maximum prices for sales to manufacturer's agent are the maximum prices for sales to consumers less 50 percent, 10 percent and 15 percent.

These maximum prices are for the articles designated "Ratcho" wrenches which are described in the manufacturer's application dated October 4, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. St. Paul, Minnesota, and they are subject to a cash discount of two percent for payment within ten days, except that in the case of sales to ultimate consumers these prices are net.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of

similar articles. In the case of sales at wholesale, they are f. o. b. seller's city.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$\_\_\_\_\_  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on March 29, 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4960; Filed, Mar. 28, 1945;  
11:47 a. m.]

[MPR 188, Order 3530]

HAWKEYE NOVELTY CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Hawkeye Novelty Company, 1754 East Grand Avenue, Des Moines, Iowa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by manufacturer to—		Maximum prices for sales by sellers other than the manufacturer to—
		Wholesaler	Retailer	
		Dozen	Dozen	Dozen
Ironing board.....	LT62	\$18.98	\$23.73	\$23.73 \$2.98

These maximum prices are for the articles described in the manufacturer's application dated February 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and

deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$2.98  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of March 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4961; Filed, Mar. 28, 1945;  
11:48 a. m.]

[MPR 188, Order 3531]

WELLS AND BRUNELL CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum net prices, f. o. b. Tacoma, Washington, for sales by the Wells and Brunell Company of the following farm and home freezers shall be:

Item	Size	On sales to dis-	On sales to deal-	On sales to con-
		distributors	lers	sumers
		Cubic feet		
Model No. WB 101.....	10	\$195.00	\$234	\$390
Model No. WB 201.....	16	275.00	330	550
Model No. WB 301.....	20	330.00	396	660
Model No. WB 401.....	24	382.50	459	765

(b) The maximum net prices established in (a) above may be increased by the following amounts to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: \$6 for each model listed in (a) above.

(c) The maximum net prices for sales by distributors of the following farm and home freezers manufactured by the Wells and Brunell Company shall be:

Item	Size	On sales to dealers	On sales to consumers
		Cubic feet	
Model No. WB 101.....	10	\$234	\$390
Model No. WB 201.....	16	330	550
Model No. WB 301.....	20	396	660
Model No. WB 401.....	24	459	765

(d) The maximum net prices for sales by dealers to consumers of the following farm and home freezers manufactured by the Wells and Brunell Company shall be:

Item	Size	On sales to consumers
		Cubic feet
Model No. WB 101.....	10	\$390
Model No. WB 201.....	16	550
Model No. WB 301.....	20	660
Model No. WB 401.....	24	765

(e) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(f) A distributor or dealer may add the following charges to the maximum prices established in (c) and (d) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the following: \$6.00 for each model listed in (a) above.

(g) Each seller of a commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(h) The Wells and Brunell Company shall stencil on the inside of the lid or cover of each farm and home freezer covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price, \$\_\_\_\_\_  
Plus freight and crating as provided in Order  
No. 3531 under Maximum Price Regulation  
No. 188.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 29, 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4962; Filed, Mar. 28, 1945;  
11:48 a. m.]

[RMPR 499, Order 11]

BORIS ERWITT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 8 and 14 of Revised Maximum Price Regulation 499, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices for all sales by the classes of sellers named of certain Langendorf watches when imported by Boris Erwitt, 5913 Fountain Avenue, Los Angeles 28, California, hereinafter called the "importer."

(b) *Maximum prices.* The maximum prices for sales of the imported Langendorf watches covered by this order and described below are as follows:

Description	Maximum prices to retailers including Federal excise tax	Maximum retail price, steel back, round strapped	\$13.36	\$27.50
2. Same as above but with sweep second hand	14.36	29.50		
3. Same as Item 1 but 12 Ligne	12.78	25.00		
4. 15J 6 1/4 x 11L rectangular chrome, steel back	13.83	27.50		
5. 15J 8 1/4 x 12L rectangular, optical glass, chrome, steel back	15.25	33.50		
6. 15J 5 1/4 L chrome, steel back, strapped	17.33	37.50		
7. 15J 10 1/2 L chrome, steel back waterproof strapped, radial dial	17.00	37.50		
8. Same as above but not radial dial	16.75	37.50		
9. Same as Item 7 but with sweep second and metal band	18.50	42.50		
10. 15J 5 1/4 L ladies chrome steel back waterproof, strapped	18.50	42.50		

These maximum prices to retailers are f. o. b. Los Angeles California and are subject to terms of 2% 30 days.

No charge for the extension of credit may be added to the maximum retail prices. These retail prices include the Federal Excise Tax of 10%.

(c) *Notification.* Any person who sells the above watches to a purchaser for resale shall notify each purchaser at the time of first sale after the effective date of this order of the maximum prices established by this order and shall include on every invoice covering a sale of these watches the following statement:

OPA Order No. 11 under RMPR 499 establishes the maximum prices at which you may sell these watches.

This notification requirement supersedes the notification requirement in section 12 of Revised Maximum Price Regulation 499 with respect to watches covered by this order.

(d) *Tagging.* The importer shall include with every watch covered by this

order delivered to a purchaser for resale after its effective date, a tag or label setting forth the maximum retail price of the particular watch. This tag or label must not be removed until the watch is sold to an ultimate consumer.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in section 2 of Revised Maximum Price Regulation 499 shall apply to the terms used herein.

This order shall become effective this 29th day of March 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4963; Filed, Mar. 28, 1945;  
11:48 a. m.]

[MPR 528, Order 33]

GOODYEAR TIRE & RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528; It is ordered:

(a) The maximum retail price for the following tractor tires, shall be as follows:

Size	Ply	Maximum retail price per tire
15-32	8	\$134.45
15-28	10	140.25

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective March 29, 1945.

Issued this 28th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-4964; Filed, Mar. 28, 1945;  
11:48 a. m.]

[Order 36 Under 3 (e)]

FAHEY-FISHER CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

(a) The maximum prices for sales of a cleaning product called "Whizaway" manufactured by the Fahey-Fisher Company, Tacoma, Washington, shall be as follows:

To jobbers	Per pint, delivered
To retailers	\$0.12 1/2
To consumers	.15
	.20

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a jobber, the manufacturer shall furnish such jobber with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Whizaway after the effective date of this order, the manufacturer shall mark or cause to be marked on each package substantially the following legend: "Maximum retail price 20 cents."

This order shall become effective March 30, 1945.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5061; Filed, Mar. 29, 1945;  
11:41 a. m.]

[MPR 188, Order 80 Under 2d Rev. Order A-3]

SARGENT AND CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Sargent and Company, of New Haven, Connecticut, may sell and deliver the Model No. 14 Carpenters' Square which it currently manufactures at prices no higher than its net maximum prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of ten cents, per unit. This adjustment may be made and collected only if it is stated separately. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the Model No. 14 Carpenters' Squares for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user, may add to his properly established maximum prices for those articles, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay his supplier, provided such amount is separately stated. The adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

## NOTICE OF OPA ADJUSTMENT

Order No. 80 under Second Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices, in effect immediately prior to March 30, 1945, by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is separately stated on an invoice which contains this notice. No other increase is authorized.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of March 1945.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5050; Filed, Mar. 29, 1945;  
11:39 a. m.]

[MPR 188, Order 82 Under 2d Rev. Order A-3]

W. C. HELLER AND CO.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188; it is ordered:

(a) *Manufacturer's maximum prices.* W. C. Heller and Company, of Montpelier, Ohio, may sell and deliver the 25 items of store fixtures, described in its application dated September 22, 1944 as the MD line which it manufactures, to B. F. Goodrich Company, at prices no higher than its maximum prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of 15 percent of each such maximum price. This adjustment charge may be made and collected only if it is stated separately.

The manufacturer's maximum prices, as adjusted, are subject to its customary discounts, allowances and price differentials in effect during March 1942, on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the items of store fixtures for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user, may add to his properly established maximum price for those articles, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to the manufacturer, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a purchaser for resale are subject to the seller's customary discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

## NOTICE OF OPA ADJUSTMENT

Order No. 82 under 2d Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their maximum prices, in effect prior to March 30, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is stated separately on an invoice which contains this notice.

(d) *Statements to be submitted to the Office of Price Administration.* (1) After the effective date of this order, W. C. Heller and Company shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within 30 days after the close of each quarter.

(2) W. C. Heller and Company shall advise the Office of Price Administration as soon as it reverts to the use of plywood in the manufacture of the articles covered by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on March 30, 1945.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5052; Filed, Mar. 29, 1945;  
11:40 a. m.]

[MPR 188, Order 3532]

S. S. WHITE DENTAL MANUFACTURING CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of § 1499.157 of Maximum Price Regulation No. 188, and section 6.4 of 2d Revised Supplementary Regulation No. 14, It is ordered:

(a) This Order establishes maximum prices for sales and deliveries of the chrome plated dental burs described in the April 4, 1944 application of the manufacturer, the S. S. White Dental Manufacturing Company, 211 S. 12th Street, Philadelphia 5, Pennsylvania, as follows:

(1) For all sales and deliveries by the manufacturer, the S. S. White Dental Manufacturing Company, to that class of purchasers designated by the manufacturer as "Dental Dealers", since Maximum Price Regulation No. 188 became applicable to those sales and deliveries, the maximum prices are those set forth below:

Articles	Maximum price to "dental dealers" (per dozen)
Chrome plated excavating burs for hand pieces and angles Nos. ½, 1, 2, 3, 4, 6, 8, 33½, 35, 37 and 39	\$0.56
Chrome plated dental burs for hand pieces and angles Nos. 557, 558, 560, 700, 701 and 702	.68

These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(2) For all sales and deliveries on and after the effective date of this order by "Dental Dealers" and by retail branches of the manufacturer to the retail trade,

the maximum prices are those set forth below:

Articles	Maximum price for sales at retail (per dozen)
Chrome plated excavating burs for hand pieces and angles Nos. ½, 1, 2, 3, 4, 6, 8, 33½, 35, 37 and 39	\$1.00
Chrome plated dental burs for hand pieces and angles Nos. 557, 558, 560, 700, 701 and 702	1.25

These prices are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles to each class of purchaser.

(b) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of March 1945.

Issued this 29th day of March 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-5049; Filed, Mar. 29, 1945;  
11:39 a. m.]

[MPR 574, Amdt. 2 to Order 1]

LIVE BOVINE ANIMALS (CATTLE AND CALVES)

## MAXIMUM PERCENTAGE OF CATTLE SLAUGHTERED WHICH MAY CONSIST OF GOOD AND CHOICE CATTLE

An opinion accompanying this amendment has been issued simultaneously herewith.

Paragraph (c) (2) of Order No. 1 under Maximum Price Regulation No. 574 is amended to read as follows:

(2) The following percentages shall constitute the maximum percentages applicable to each of the two accounting periods ending on or about April 30, 1945, and on or about May 31, 1945 respectively:

- (i) Zone A—75 percent.
- (ii) Zone B—75 percent.
- (iii) Zone C—50 percent.

This amendment shall become effective March 28, 1945.

Issued this 28th day of March 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

[F. R. Doc. 45-5023; Filed, Mar. 28, 1945;  
4:15 p. m.]

## Regional and District Office Orders.

[Region II Order G-43 Under RMPR 122,  
Amdt. 4]

## SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-43 is amended in the following respect:

1. Paragraph (b) is amended by adding to the list of orders there enumerated, the following:

## FEDERAL REGISTER, Friday, March 30, 1945

Order No. G-61 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

This Amendment No. 4 to Order No. G-43 shall become effective as of March 8, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 8th day of March 1945.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 45-4968; Filed, Mar. 28, 1945;  
12:36 p. m.]

[Detroit Order G-4 Under MPR 426,  
Revocation]

## FRUITS AND VEGETABLES IN DETROIT, MICH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Article I, section 2B of Maximum Price Regulation No. 426, as amended, and by him delegated to the Detroit District Director by Second Revised Delegation Order No. 1-A, this order is hereby issued.

(a) Subject to all of the conditions, provisions, and stipulations of Supplementary Order No. 40, Order No. G-4 under Maximum Price Regulation No. 426 (establishing maximum markup for purveyors at the Detroit wholesale receiving point) is hereby revoked.

This order of revocation shall become effective February 12, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this February 12, 1945.

W. E. FITZGERALD,  
District Director.

[F. R. Doc. 45-4973; Filed, Mar. 28, 1945;  
12:38 p. m.]

[Detroit Rev. Order G-4 Under MPR 426]

## FRUITS AND VEGETABLES IN DETROIT, MICH.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Article 1, section 2b of Maximum Price Regulation No. 426, as amended, and by him delegated to the Detroit District Director by Second Revised Delegation Order No. 1-A, this Revised Order No. G-4 under Maximum Price Regulation No. 426, as amended, is hereby issued.

**SECTION 1. What this order does.** This order adjusts the maximum markup for sales of fruits and vegetables covered by Maximum Price Regulation No. 426 by purveyors, as defined.

**SEC. 2. Geographical coverage.** This order shall apply to sales made within the City of Detroit, Michigan, and within a radius of ten (10) miles of the boundary lines thereof.

**SEC. 3. Items and sellers covered.** The sellers and commodities in connection with sales of which each of such sellers may take the adjusted markup provided in section 5 hereof are listed in Appendix A, attached hereto and made a part hereof.

**SEC. 4. Sales covered.** The sales covered by this order are sales to hotels, restaurants, hospitals, ships, camps and other institutional users. This order applies only to sales of broken boxes which means in less-than-original-container lots or container lots which have been broken and which have been handled or processed by two or more of the following steps: Washing, trimming, sorting, grading, repacking and warehousing.

**SEC. 5. Adjustment provided.** Section 2b provides for a purveyor's markup. To the maximum markups calculated under the applicable table of the appendices to Maximum Price Regulation No. 426, as amended, for delivered sales by secondary wholesalers, an additional markup of 25% thereof may be added for sales covered by section 4 hereof by purveyors who qualify hereunder.

**SEC. 6. Qualifications.** To qualify for the markup granted herein, a purveyor must make sworn application and have his name included in Appendix A. He must file a statement under oath showing that not less than 75% of his sales of fresh fruits and vegetables have been made to institutional users for the months of October, November, and December of 1943.

**SEC. 7. Definitions.** A purveyor is defined as follows:

"Purveyor" means a person who (i) purchases the kind of fresh fruits and vegetables being priced, (ii) maintains

facilities for washing, trimming, sorting, grading, repacking and warehousing and employs such of these facilities in connection with the sale of the particular goods being sold, as specified, (iii) makes less-than-original-container sales to restaurants, ships, hotels, hospitals, camps or other institutional users, and (iv) delivers to the premises of all purchasers located within the area specified in section 2 hereof, without extra charge. A seller shall be considered a purveyor only when making sales to institutional users of goods which have been handled and sold in this manner, and no seller shall be considered a purveyor when selling unbroken containers.

Unless otherwise provided for or designated herein, the definitions of Maximum Price Regulation No. 426, as amended, when applicable shall be used in this order.

**SEC. 8. Prohibitions.** No purveyor shall use any purveyor's markup until he has filed the sworn statement as required above, has had his claim processed, and in addition thereto has had his name included in the list of purveyors contained in Appendix A.

**SEC. 9. Effective date.** This order shall become effective as of February 12, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this February 12, 1945.

W. E. FITZGERALD,  
District Director.

Approved:

E. O. POLLOCK,  
Regional Director of Distribution,  
War Food Administration.

## APPENDIX A

*Name of seller*

1. City Fruit and Produce Co., 1301 Winder Street, Detroit, Wayne County, Mich.  
2. C. Caramagno, 1472 Adelaide Street, Detroit, Wayne County, Mich.

*Commodities to which purveyor's markup may be applied*

Snap beans, peppers, egg plant, cucumbers, spinach, carrots and peas.

Items covered are of the commodities now or hereafter listed in Appendices H, I, J, and K of Section 15 of Article III of Maximum Price Regulation No. 426, as amended.

[F. R. Doc. 45-4974; Filed, Mar. 28, 1945; 12:39 p. m.]

[Region III Order G-1 Under MPR 355]

## FABRICATED MEAT CUTS IN JEFFERSON COUNTY, KY.

By virtue of the authority vested in me by the provisions of section 3 (c) of Maximum Price Regulation No. 336, section 5 (c) of Maximum Price Regulation No. 355 and section 5 (c) of Maximum Price Regulation No. 394, I am empowered to declare specific areas in the region under my jurisdiction to be deficient in supplies of fabricated meat cuts where I find that the following conditions exist therein:

(1) That purveyors of meals are unable to purchase fabricated meat cuts in volume sufficient to supply their requirements.

(2) That the deficiency in supplies of fabricated meat cuts is caused by the fact that sellers of fabricated meat cuts

located in the area do not have adequate facilities or quotas to supply the demand.

(3) That purveyors of meals located in the area customarily have relied upon, and must continue to rely upon retail sellers for their necessary supplies of meat.

I have investigated the situation existing in the area described as Jefferson County, Kentucky, and as a result of that investigation, I find:

That purveyors of meals located in the area are unable to obtain supplies of fabricated meat cuts adequate to fill their needs. This conclusion is based upon the following conditions existing in said area:

The City of Louisville, Kentucky is located in Jefferson County. Since 1942, its population has increased approximately 20%. Consequently, the number

of purveyors of meals has likewise increased.

Historically, about 50% of the purveyors' requirements of meats was obtained from hotel supply houses and similar establishments. The balance was secured from retailers. Because of the increased demands and quota limitations placed upon hotel supply houses, retailers have been called upon to furnish larger amounts of such items than were normally required. This, they are unwilling to do and, to a large extent, they have been rejecting additional business from purveyors due to shortage of labor and supplies, and the fact that they would be forced to make such sales at wholesale prices provided in Maximum Price Regulations Nos. 148 and 169. As a result, although sellers of fabricated meat cuts are generally selling such items up to quota limitations, purveyors of meals are able to obtain only about 80% to 85% of meat supplies allotted to them under rationing orders.

Accordingly, by virtue of authority vested in me as aforesaid, I hereby declare the area described as Jefferson County in the State of Kentucky deficient in supplies of fabricated meat cuts.

This declaration shall be effective October 11, 1944.

Issued: October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5008; Filed, Mar. 28, 1945;  
1:48 p. m.]

[Region III Order G-2 Under MPR 329,  
Revocation]

#### FLUID MILK IN KANAWHA COUNTY, WEST VA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) That Order No. G-2 under Maximum Price Regulation No. 329, (Purchases of Milk from Producers for Resale as Fluid Milk) be, and the same is hereby revoked.

(b) Revocation of said Order No. G-2 under Maximum Price Regulation No. 329 be, and the same is hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (Effect of Repeal, Revocation, Amendment or other Modifications of Price Regulations) issued by the Price Administrator on April 2, 1943.

Effective: September 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 29, 1944.

C. J. Houser,  
Acting Regional Administrator.

[F. R. Doc. 45-5002; Filed, Mar. 28, 1945;  
1:47 p. m.]

[Region III Order G-2 Under MPR 355]

#### FABRICATED MEAT CUTS IN CORBIN, KY.

By virtue of the authority vested in me by the provisions of section 5 (c) of Maximum Price Regulation No. 336, section 5 (c) of Maximum Price Regulation No. 355 and section 5 (c) of Maximum Price Regulation No. 394, I am empowered to declare specific areas in the region under my jurisdiction to be deficient in supplies of fabricated meat cuts where I find that the following conditions exist therein:

(1) That purveyors of meals are unable to purchase fabricated meat cuts in volume sufficient to supply their requirements;

(2) That the deficiency in supplies of fabricated meat cuts is caused by the fact that sellers of fabricated meat cuts located in the area do not have adequate facilities or quotas to supply the demand;

(3) That purveyors of meals located in the area customarily have relied upon, and must continue to rely upon retail sellers for their necessary supplies of meat.

I have investigated the situation existing within the municipal city limits in the city of Corbin, Kentucky, and an area two miles beyond said municipal limits, and as a result of that investigation I find:

That purveyors of meals in said area have, for a period of at least two months prior to the date hereof, been unable to obtain adequate supplies of fabricated meat cuts to fill their needs from the retailers located within the said city. This conclusion is based upon the fact that for a period of several days at a time meat is not available to purveyors of meals within the above described area due to present limitations on sales by retailers to purveyors. They have in the past relied upon retailers as their sole source of supply of fabricated meat cuts, and are not now in position to obtain same from wholesale sources or hotel supply houses. The quotas of sellers of fabricated meat cuts in the area are not sufficient to meet the present demand for same and such sellers are unwilling to assume the burden of supplying new customers. Purveyors are therefore required to look to retailers for their necessary supplies.

Accordingly, by virtue of the authority vested in me, as aforesaid, I hereby declare the City of Corbin, Kentucky, and the area two miles beyond the municipal limits of said city, as an area deficient in supplies of fabricated meat cuts.

This order may be modified, amended or revoked by the Office of Price Administration at any time.

This order shall become effective October 17, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 17, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5009; Filed, Mar. 28, 1945;  
1:48 p. m.]

[Region III Order G-3 Under MPR 329,  
Amdt. 2]

#### FLUID MILK IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) Section (e) of Order No. G-3 under Maximum Price Regulation No. 329 (Purchases of Milk From Producers For Resale As Fluid Milk) be, and the same is hereby, revoked.

(b) The revocation of section (e) of said Order No. G-3 under Maximum Price Regulation No. 329 be, and the same is hereby, subject to the conditions, stipulations, and provisions of Supplementary Order No. 40 (Effect of Repeal, Revocation, Amendment, or other Modification of Price Regulations) issued by the Price Administrator on April 2, 1943.

This amendment shall become effective September 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 20, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5007; Filed, Mar. 28, 1945;  
1:48 p. m.]

[Region III Order G-3 Under MPR 355]

#### FABRICATED MEAT CUTS IN MICHIGAN

By virtue of the authority vested in me by the provisions of section 5 (c) of Maximum Price Regulation No. 336, section 5 (c) of Maximum Price Regulation No. 355 and section 5 (c) of Maximum Price Regulation No. 394, I am empowered to declare specific areas in the region under my jurisdiction to be deficient in supplies of fabricated meat cuts where I find that the following conditions exist therein:

(1) That purveyors of meals are unable to purchase fabricated meat cuts in volume sufficient to supply their requirements;

(2) That the deficiency in supplies of fabricated meat cuts is caused by the fact that sellers of fabricated meat cuts located in the area do not have adequate facilities or quotas to supply the demand, or that there are no sellers of fabricated meat cuts located in the area;

(3) That purveyors of meals located in the area customarily have relied upon, and must continue to rely upon retail sellers for their necessary supplies of meat.

I have investigated the situation existing in the area consisting of the following counties in the State of Michigan:

Allegan, Antrim, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Oceana, Van Buren, Charlevoix, Emmett, Grand Traverse, Ionia, Kalamazoo, Kalkaska, Kent, Lake, Osceola, Wexford, Leelanau, Manistee, Mason, McCosta, Missaukee, Montcalm, Muskegon, Newaygo, Ottawa, and St. Joseph.

And as a result of that investigation I find: That purveyors of meals located

in the area have, for the two month period preceding May 1, 1944 been unable to obtain supplies of fabricated meat cuts adequate to fill their needs, and are now unable to do so. This conclusion is based upon the following facts:

Historically, purveyors of meals in this area have purchased their supplies from retailers to a great extent because of the convenience of securing cuts ready for cooking, and ability to purchase in small quantities thus resulting in less carry-over and spoilage, the hotel supply houses and packers catering almost exclusively to larger operators who have storage facilities, and personnel capable of preparing such meat cuts as boneless round, boneless chuck, etc. Any increase in quotas granted to such hotel supply houses would inure only to the benefit of the larger operators and would furnish no relief to the smaller establishments. Consequently, the vast bulk of purveyors must continue to look to retailers for their necessary supplies as determined under existing rationing orders, and, under present limitations are unable to secure them legally from retailers.

Therefore, pursuant to the authority vested in me as aforesaid, I hereby declare the following described area, as an area deficient in supplies of fabricated meat cuts:

Allegan, Antrim, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Oceana, Van Buren, Charlevoix, Emmett, Grand Traverse, Ionia, Kalamazoo, Kalkaska, Kent, Lake, Osceola, Wexford, Leelanau, Manistee, Mason, Macosta, Missaukee, Montcalm, Muskegon, Newaygo, Ottawa and St. Joseph.

This declaration shall be effective October 17, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 17, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5010; Filed, Mar. 28, 1945;  
1:49 p. m.]

[Region III Rev. Order G-5 Under RMPR  
122, Amdt. 5]

SOLID FUELS IN AKRON, BARBERTON AND  
CUYAHOGA FALLS, OHIO

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section A. 1. c. under Part I of paragraph (c) (1) of the subject order be amended to read as follows:

Column I	Col. umn II	Col. umn III	Col. umn IV
A. . . . . 1. . . . . c. Mine Price Classifications G through J: (1) Mine Index No. 4110..... (2) All others.....	\$0.15 8.90	\$8.90 8.65	\$7.90 7.65

This amendment to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 shall become effective February 14, 1945.

Issued: February 14, 1945.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-5013; Filed, Mar. 28, 1945;  
1:49 p. m.]

[Region III Rev. Order G-5 Under RMPR  
122, Amdt. 6]

SOLID FUELS IN AKRON, BARBERTON, AND  
CUYAHOGA FALLS, OHIO

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Parts II and III of paragraph (c) (1) of the subject order be amended to read as follows:

Column I	Col. umn II	Col. umn III	Col. umn IV
II. High volatile bituminous coals from producing district No. 4 (Ohio) excluding Mine Index No. 111:			
A. Lump or Egg, Size Group Nos. 1 and 2 (bottom size larger than 2" from Subdistrict Nos. 1 (Eastern Ohio) and 4 (Middle)).....	\$7.30	\$7.05	\$6.05
B. Egg, Size Group Nos. 3A and 4 (bottom size larger than 1 1/4" but not exceeding 2"; top size larger than 2" x bottom size 1 1/4" and smaller, forked) from Subdistrict Nos. 1 (Eastern Ohio) and 4 (Middle).....	7.10	6.85	5.85
III. High volatile bituminous coals from producing district No. 3 (north central West Virginia excluding Panhandle):			
A. Lump or egg, size group No. 1 (bottom size larger than 2"), Mine Price Classifications D and E.....	7.40	7.15	6.15

This Amendment No. 6 to Revised Order No. G-5 under Revised Maximum Price Regulation No. 122 shall become effective March 8, 1945.

Issued: March 8, 1945.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-5012; Filed, Mar. 28, 1945;  
1:49 p. m.]

[Region III Order G-7 Under MPR 329,  
Revocation]

FLUID MILK IN VANDERBURGH COUNTY,  
IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329; *It is hereby ordered*, That:

(a) Order No. G-7 under Maximum Price Regulation No. 329, (Purchases of milk from producers for resale as fluid milk) be, and the same is hereby revoked.

(b) Revocation of said Order No. G-7 under Maximum Price Regulation No. 329, be and the same is, hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (Effect of repeal, revocation, amendment or other modifications of price regulations) issued by the Price Administrator on April 2, 1943.

Effective: October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4998; Filed, Mar. 28, 1945;  
1:38 p. m.]

[Region III Order G-8 Under RMPR 122,  
Amdt. 4]

SOLID FUELS IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That the descriptive heading in Part I of the price schedule in section (c) (1) be amended to read as follows:

Column I	Col. umn II	Col. umn III	Col. umn IV
1. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southern West Virginia, western Virginia and northeastern Tennessee) excluding Mine Index Nos. 405 and 413.			

This Amendment No. 4 to Order G-8 under Revised Maximum Price Regulation No. 122 shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued: September 12, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4965; Filed, Mar. 28, 1945;  
12:36 p. m.]

[Region III Order G-8 Under RMPR 122,  
Amdt. 5]

SOLID FUELS IN LOUISVILLE, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*:

1. That Part II of the price schedules in section (c) (i) be amended to read as follows:

Column	Column II	Column III	Column IV
I.			
II. High volatile bituminous coals from producing district No. 9 (western Kentucky):			
A. Lump and egg, size groups Nos. 1 through 6 (all single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2'':)			
1. From the 9th and 11th seams.....	\$6.40	\$6.15	\$5.90
2. From the 14th seam.....	6.65	6.40	6.15
B. Mine run, size group No. 7 (straight mine run; mine run, modified by the removal of any intermediate size or sizes; all mine run resultants larger than 2'; no fines removed):			
1. From the 9th and 11th seams.....	6.05	5.80	5.55
2. From the 14th seam.....	6.20	5.95	5.70
C. Stove, nut and pea:			
1. Size group Nos. 8 through 12 (all double screened raw or washed stove coal, top size larger than 1 1/2" but not exceeding 2" and bottom size larger than 3/8"; all raw double-screened nut, stoker and pea coals top size not exceeding 2" and bottom size larger than 10 mesh or 3/32"':)			
a. From the 9th and 11th seams.....	5.65	5.40	5.15
b. From the 14th seam.....	5.85	5.60	5.35
2. Size group Nos. 17 through 22 (all washed, or air-cleaned, double screened nut, stoker and pea top size not exceeding 2"; dedusted washed screenings with bottom size larger than 1 millimeter and top size not exceeding 2''): a. From the 9th and 11th seams.....	5.95	5.70	5.45
b. From the 14th seam.....	5.55	5.60	5.35

2. That section (e) be amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels made under the provisions of either Order No. G-8 or Revised Maximum Price Regulation No. 122. These charges may be made only if buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Trimming in the bin..... \$0.25 per ton.  
Carry-in or wheel-in from curb..... \$0.75 per ton.

Carrying up on flight of stairs..... \$1.00 per ton.

This Amendment No. 5 to Order No. G-8 under Revised Maximum Price Regulation No. 122 shall become effective October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-4996; Filed, Mar. 28, 1945;  
1:37 p. m.]

[Region III Order G-10 Under RMPR 122,  
Amdt. 1]

SOLID FUELS IN ST. JOSEPH COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and

No. 64—4

under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Order No. G-10 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

1. Part II of section (c) (1) is amended by adding thereto paragraph C, to read as follows:

Column I	Column II	Column III
<b>C. Screenings:</b>		
1. Raw, size group Nos. 13 and 14 (larger than 3/8" x 0 but not exceeding 2" x 0):		
a. Price group Nos. 8 through 12.....	\$6.35	\$5.35
b. Price group No. 16.....	6.55	5.55
2. Washed or air cleaned, size group Nos. 23 and 24 (top size not exceeding 2''): a. Price group Nos. 8 through 12.....	6.65	5.65
b. Price group No. 16.....	6.80	5.80
3. Dry dedusted, size group Nos. 26 and 27 (top size not exceeding 2''): a. Price group Nos. 8 through 12.....	6.50	5.50
b. Price group No. 16.....	6.75	5.75

2. Part III of section (c) (1) is amended by striking out paragraph C, as written in the order, and substituting therefor a new paragraph C, and by adding a new paragraph D to read as follows:

Column I	Column II	Column III
<b>C. Raw Screenings, Size Group No. 14 (top size larger than 3/8", x 0 but not exceeding 1 1/2" x 0) Price Group Nos. 1 and 2</b>		
D. To the prices stated in sections A, B, and C of Part II may be added \$0.10 per ton if the coal has been subjected to an oil or chemical treatment by the supplier and providing such charge for treatment must be separately stated on the dealer's invoice.	\$6.95	\$5.95

3. Part VII of section (c) (1), reading as follows:

Column I	Column II	Column III
VII. Coke (excluding reject or reclaimed coke) Egg, Stove and Chestnut sizes.....	\$13.10	\$12.10

is deleted from the order.

4. Section (c), subsection (2) is amended to read as follows:

2. *Quantity discounts.* Prices quoted in Column II shall be subject to the following discounts:

On sales of 25 tons or more, but less than 50 tons, to one location..... \$0.50  
On sales of 50 tons and over, to one location..... 1.00

5. Section (e) is amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuel covered by the provisions of either this order or of Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the

service. Every service charge shall be separately stated in the dealer's invoice.

Maximum service charges shall be as follows:

	Per ton
Carrying from curb.....	\$0.50
Carrying up or down one flight of stairs.....	1.00
Service charge for deliveries in quantities of 1/2 ton.....	.15
Service charge for deliveries in quantities of 1/4 ton.....	.25
Forking of low volatile coals.....	.50

This Amendment No. 1 to Order No. G-10 under Revised Maximum Price Regulation No. 122 shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 12, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4975; Filed, Mar. 28, 1945;  
12:39 p. m.]

[Region III Order G-10 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ST. JOSEPH COUNTY, IND., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part IV of paragraph (c) (1) of Order No. G-10 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
<b>IV. High volatile bituminous coals from producing district No. 4 (Ohio):</b>		
A. Lump or egg, size group Nos. 1 and 2 (bottom size larger than 2''): 1. From subdistrict No. 5 (Hocking).....	\$9.60	\$8.60
2. From subdistrict No. 7 (Jackson).....	9.40	8.40
3. From subdistrict Nos. 8 (Pomeroy), 6 (Crooksville) and 4 (Middle).....	9.20	8.20
4. From subdistrict Nos. 1 (eastern Ohio) and 2 (Cambridge).....	9.00	8.00
B. Stoker, size groups No. 5 (top size not exceeding 2" x bottom size larger than 10 mesh): 1. From subdistrict No. 5 (Hocking).....	8.90	7.90
2. From subdistrict No. 7 (Jackson).....	8.80	7.80
3. From subdistrict No. 4 (Middle).....	8.70	7.70
4. From subdistrict Nos. 6 (Crooksville) and 8 (Pomeroy).....	8.60	7.60
5. From subdistrict Nos. 1 (eastern Ohio) and 2 (Cambridge).....	8.50	7.50

This Amendment No. 2 to Order No. G-10 under Revised Maximum Price Regulation No. 122 shall become effective March 8, 1945.

Issued: March 8, 1945.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-4976; Filed, Mar. 28, 1945;  
12:39 p. m.]

## FEDERAL REGISTER, Friday, March 30, 1945

[Region III Order G-11 Under RMPR 122, Amdt. 1]

## SOLID FUELS IN DAYTON, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section (e) of Order No. G-11 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuel covered by either the provisions of this order or of Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requesting such service of the dealer and only when the dealer renders the service. This service shall be separately stated in the dealer's invoice.

	Per ton
Wheel in from curb.....	\$0.50
Carry in from curb.....	.75
Carry up or down one flight of stairs.....	.75
Use of chute.....	.50

This Amendment No. 1 to Order No. G-11 under Revised Maximum Price Regulation No. 122 shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 12, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4978; Filed, Mar. 28, 1945;  
12:41 p. m.]

[Region III Order G-11 Under RMPR 122, Amdt. 2]

## SOLID FUELS IN DAYTON, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section (e) of Order No. G-11 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(e) *Schedule of service charges.* This schedule sets forth the maximum prices which a dealer may charge for special services rendered in connection with all sales of Solid Fuel covered by either the provisions of this order or of Revised Maximum Price Regulation No. 122. These charges may be made only if a buyer requests such services of a dealer, and only when the dealer renders such services. Every service shall be separately stated in dealer's invoice:

	Per ton
Wheel in from curb.....	\$0.50
Carry in from curb.....	.75
Carry up or down one flight of stairs.....	.75
Use of a chute over 12 ft.....	.50

This Amendment No. 2 to Order No. G-11 under Revised Maximum Price Regulation No. 122 shall become effective February 5, 1945.

Issued: January 22, 1945.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4991; Filed, Mar. 28, 1945;  
1:33 p. m.]

[Region III Order G-11 Under RMPR 122, Amdt. 3]

## SOLID FUELS IN DAYTON, OHIO, AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Part II of paragraph (c) (1) of Order No. G-11 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II
II. High Volatile Bituminous Coals from Producing District No. 4 (Ohio)	
A. Lump and egg, size group No. 2 (single screened coals, bottom size larger than 2" but not ex- ceeding 5"; double screened coals, bottom size larger than 2") from subdistrict No. 5 (Hocking)	\$7.80

This Amendment No. 3 to Order No. G-11 under Revised Maximum Price Regulation No. 122 shall become effective March 8, 1945.

Issued: March 8, 1945.

CLIFFORD J. Houser,  
Acting Regional Administrator.

[F. R. Doc. 45-4990; Filed, Mar. 28, 1945;  
1:33 p. m.]

[Region III Order G-11 Under MPR 329, Revocation]

## FLUID MILK IN MARSHALL COUNTY, IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329; *It is hereby ordered*, That:

(a) Order No. G-11 under Maximum Price Regulation No. 329 (purchases of

milk from producers for resale as fluid milk) be, and the same is hereby revoked.

(b) Revocation of said Order No. G-11 under Maximum Price Regulation No. 329 be, and the same is hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (effect of repeal, revocation, amendment or other modifications of price regulations) issued by the Price Administrator on April 2, 1943.

Effective: October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5001; Filed, Mar. 28, 1945;  
1:47 p. m.]

[Region III Rev. Order G-12 Under 18 (c)]

## FLUID MILK IN INDIANA

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III, under the provisions of § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, it is hereby ordered that:

(a) *Sales of approved fluid milk.* (1) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of: Bartholomew, Benton, Blackford, Boone, Brown, Carroll, Clay, Crawford, Daviess, Dearborn, Decatur, Delaware, Dubois, Franklin, Fountain, Fulton, Gibson, Grant, Greene, Hamilton, Hancock, Harrison, Hendricks, Henry, Howard, Jackson, Jefferson, Jennings, Knox, Lawrence, Madison, Martin, Monroe, Morgan, Newton, Ohio, Orange, Owen, Parke, Perry, Pike, Posey, Pulaski, Putnam, Ripley, Rush, Scott, Shelby, Spencer, Starke, Sullivan, Switzerland, Tippecanoe, Tipton, Union, Vermillion, Wabash, Warren, Washington, and White all in the State of Indiana, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	49¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	25¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13¢ per quart.
	Glass or paper.....	One pint.....	7½¢ per pint.
	Glass or paper.....	One-half pint.....	5¢ per half-pint.
Wholesale.....	Glass or other.....	One gallon or multiples thereof.....	44¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	22¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	11¢ per quart.
	Glass or paper.....	One pint.....	6¢ per pint.
	Glass or paper.....	One-half pint.....	3½¢ per half-pint.

(2) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of Adams, Clinton, De Kalb, Jay, La Grange, Montgomery, Noble, Randolph, Steuben, Vigo, Wells and Whitley, all in the State of Indiana, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	50¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	13 1/4¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/4¢ per quart.
	Glass or paper.....	One pint.....	7 1/4¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	45¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	22 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	11 1/2¢ per quart.
	Glass or paper.....	One pint.....	5 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(3) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of Allen, Cass, Elkhart, Fayette, Huntington, Jasper, Johnson, Kosciusko, Marion, Marshall, Miami, Porter, Wayne and Warrick, all in the State of Indiana, shall be: (1) The maximum prices es-			

tablished for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	61¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	14 1/4¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	14 1/4¢ per quart.
	Glass or paper.....	One pint.....	7 1/4¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	46¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	22 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	11 1/2¢ per quart.
	Glass or paper.....	One pint.....	5 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(4) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the county of Vanderburgh, in the State of Indiana, shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or			

(2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	51¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	12 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	12 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	40¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	20 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	12 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(5) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of La Porte and St. Joseph, in the State of Indiana shall be: (1) The maximum prices established from him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established from him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:			

(5) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of La Porte and St. Joseph, in the State of Indiana shall be: (1) The maximum prices established from him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Clark and Floyd, in the State of Indiana shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III to whomsoever are greater:

(5) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of La Porte and St. Joseph, in the State of Indiana shall be: (1) The maximum prices established from him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	53¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	13 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	48¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	24¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(6) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of Clark and Floyd, in the State of Indiana shall be: (1) The maximum prices established for him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of the Office of Price Control, or (3) the prices set forth in the following schedule, whichever are greater:			

(6) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of Clark and Floyd, in the State of Indiana shall be: (1) The maximum prices established for him under any previous order issued by the Regional Administrator of the Office of Price Control, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III to whomsoever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	55¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	13 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	50¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	25¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(b) Sales of special milk. (1) Except as hereinafter provided in paragraph (2) of this section (b), any person selling special milk, as hereinafter defined, at retail or wholesale in any County in the State of Indiana, who is permitted under the provisions of this order or has been permitted under the provisions of any previous order issued by the Regional Administrator of Region III to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase and/or the sum of such increases to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation or under the provisions of any previous order issued by the Regional Administrator of Region III. (2) The adjusted maximum price of plain Homogenized milk, Chocolate			

(b) Sales of special milk. (1) Except as hereinafter provided in paragraph (2) of this section (b), any person selling special milk, as hereinafter defined, at retail or wholesale in any County in the State of Indiana, who is permitted under the provisions of this order or has been permitted under the provisions of any previous order issued by the Regional Administrator of Region III to increase the price of approved fluid milk (raw or pasteurized regular, standard milk) sold by him, may add an amount equal to such increase and/or the sum of such increases to the retail and wholesale prices of special milk established for him under the provisions of § 1499.2 of the General Maximum Price Regulation or under the provisions of any previous order issued by the Regional Administrator of Region III. (2) The adjusted maximum price of plain Homogenized milk, Chocolate

Regulation, or (2) the maximum prices established from him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

(5) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of La Porte and St. Joseph, in the State of Indiana shall be: (1) The maximum prices established from him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III, or (3) the prices set forth in the following schedule, whichever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	53¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	13 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	48¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	24¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(6) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of La Porte and St. Joseph, in the State of Indiana shall be: (1) The maximum prices established from him under § 1499.2 of the General Maximum Price Regulation, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III to whomsoever are greater:			

(6) The maximum price at which any person may sell or deliver approved fluid milk at retail or wholesale in the counties of La Porte and St. Joseph, in the State of Indiana shall be: (1) The maximum prices established from him under any previous order issued by the Regional Administrator of Region III, or (2) the maximum prices established for him under any previous order issued by the Regional Administrator of Region III to whomsoever are greater:

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	55¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	13 1/2¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	50¢ per gallon.
	Glass or paper.....	One-half gallon or multiples thereof.....	25¢ per half-gallon.
	Glass or paper.....	One quart or multiples thereof.....	13 1/2¢ per quart.
	Glass or paper.....	One pint.....	6 1/2¢ per pint.
	Glass or paper.....	One-half pint.....	3 1/2¢ per half-pint.
(b) Buttermilk and Skim Milk as established under the preceding paragraph (1) shall in no event exceed the adjusted maximum price of approved fluid milk (raw or pasteurized regular, standard milk) established under the applicable provisions of this order.			

(b) Buttermilk and Skim Milk as established under the preceding paragraph (1) shall in no event exceed the adjusted maximum price of approved fluid milk (raw or pasteurized regular, standard milk) established under the applicable provisions of this order.

(3) If any person selling special milk at retail or wholesale in any County in the State of Indiana cannot determine his maximum prices for such special milk under the provisions of (1) or (2) of this section (b), he may apply by letter to the regional Office, of the Office of Price Control, Cleveland, Ohio, for determination of his maximum prices. He shall submit full information as to his present maximum prices, the prices of his most closely competitive sellers, the type and approximate butterfat content of the special milk sold by him and his most closely competitive sellers, and a full

## FEDERAL REGISTER, Friday, March 30, 1945

statement of the reasons why he is unable to determine adjusted prices under paragraph (1) and (2) hereof.

(c) *Fractional sales.* (1) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at retail, may adjust the unit price therefor to the next highest full cent. For sales of two or more such units, such seller shall, however, multiply such fractional unit figure by the number of units in such sale; for example, a maximum price of  $7\frac{1}{2}$ ¢ per unit may be adjusted to 8¢ for the sale of one unit, but must be 15¢ for the sale of two units, etc.

(2) Whenever the seller's maximum price, as established under this order, results in a unit figure containing a fraction of a cent, the seller, if the sale be at wholesale, shall multiply such fractional unit figure by the number of units in such sale; for example, the maximum price for 24 pints of fluid milk at a per unit cost of  $5\frac{1}{2}$ ¢ would be \$1.32.

(d) *Reports.* Each person, other than a retail store, adjusting his maximum prices pursuant to the provisions of this order, shall within five (5) days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter, of his maximum prices established pursuant to this order, together with a statement of his previous maximum prices.

Each such person shall, in addition to the above, file with the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio such reports as may hereafter be required by said Regional Office.

(e) *Discounts.* Any person selling approved fluid milk and/or special milk at retail or wholesale in the State of Indiana may discontinue the granting of discounts.

(f) *Notification of retail stores.* Each distributor selling approved fluid milk and/or special milk at wholesale to a retail store or stores shall notify each store to whom he sells, by letter, of the adjustment permitted by this order, and each retail store is hereby required to comply with the requirements of the General Maximum Price Regulation as to the posting of prices of cost-of-living commodities.

(g) The provisions of this order supersede the provisions of General Order No. 1 (now identified as Order No. G-17 under § 1499.18 (c) of General Maximum Price Regulation) pertaining to certain trade practices in Region III. Said Order No. 1 is therefore revoked as to all counties in the State of Indiana.

(h) The provisions of this order supersede the provisions of Order No. G-22 under § 1499.18 (c) of the General Maximum Price Regulation insofar as the provisions of said Order No. G-22 are applicable to Floyd and Clark Counties in the State of Indiana. Therefore, Order No. G-22 is revoked in its applicability to Floyd and Clark Counties in the State of Indiana.

(i) *Definitions.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group

of persons or successors of the foregoing.

(2) *Approved fluid milk and special milk.* (i) "Approved fluid milk" is defined to mean fluid cows' milk, whether raw or pasteurized, meeting the minimum butterfat content, sanitary and health requirements for fluid milk for human consumption in the particular area wherein it is delivered, including standards set by the army and navy purchasing officer making purchases for the armed forces of the United States.

(ii) "Special milk" is defined to mean Vitamin D homogenized milk, plain homogenized milk, softcurd milk, buttermilk, approved fluid milk flavored with chocolate, chocolate drink, skim milk, and in addition to the foregoing, any milk conforming to both of the following requirements: (a) it must contain a greater butterfat content than approved fluid milk and (b) it must have sold during the month of March 1942, at a price higher than approved fluid milk.

(3) "Sale or delivery at retail" means a sale or sales of approved fluid milk in glass or paper containers to an ultimate consumer, other than an industrial or commercial user.

(4) "Sale or delivery at wholesale" refers to a sale of approved fluid milk or special milk in glass, paper or other containers to any persons, including an industrial or commercial user, other than an ultimate consumer. For the purposes of this order, a sale or delivery at wholesale shall include a sale or delivery to stores, hotels, restaurants, institutions, and any branch of the Armed Forces of the United States. A sale or delivery at wholesale does not include a sale of bulk milk made by one distributor to another, or a sale by a cooling station to a distributor.

(j) This order shall remain in effect until modified or revoked by the Regional Administrator.

This order shall become effective September 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9350, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 29, 1944.

C. J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-4981; Filed, Mar. 28, 1945;  
12:42 p. m.]

[Region III Rev. Order G-12 Under 18 (c),  
Correction]

## FLUID MILK IN INDIANA

Revised Order No. G-12 under § 1499-18 (c) of the General Maximum Price Regulation is hereby corrected in the following respect:

(a) The price set forth in section (a). (3) for one-half pints of milk sold at wholesale in glass or paper containers is corrected to read:  $3\frac{3}{4}$ ¢ per one-half pint.

This correction shall be effective December 2, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: December 2, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4987; Filed, Mar. 28, 1945;  
1:29 p. m.]

[Region III Order G-12 Under 18 (c),  
Revocation]

## FLUID MILK IN INDIANA

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region III, under the provisions of § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and § 1351.807 of Maximum Price Regulation No. 280; *It is hereby ordered, That:*

(a) Order No. G-12, as amended, under § 1499.18 (c) of the General Maximum Price Regulation, (Order adjusting the maximum prices of fluid whole milk sold at retail and wholesale in the State of Indiana) be, and the same is hereby revoked.

(b) The revocation of said Order No. G-12, as amended, under § 1499.18 (c) of the General Maximum Price Regulation be, and the same is hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (Effect of repeal, revocation, amendment or other modifications of price regulations) issued by the Price Administrator on April 2, 1943.

This order of revocation shall become effective September 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 29, 1944.

C. J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-4983; Filed, Mar. 28, 1945;  
12:43 p. m.]

[Region III Order G-17 Under MPR 329,  
Revocation]

## FLUID MILK IN WELLS COUNTY, IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329; *It is hereby ordered, That:*

(a) Order No. G-17 under Maximum Price Regulation No. 329 (Purchases of milk from producers for resale as fluid milk) be, and the same is hereby revoked.

(b) Revocation of said Order No. G-17 under Maximum Price Regulation No. 329 be, and the same is hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (Effect of repeal, revocation, amendment or other modifications of

price regulations) issued by the Price Administrator on April 2, 1943.

Effective: October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4999; Filed, Mar. 28, 1945;  
1:38 p. m.]

[Region III Order G-20 Under MPR 329,  
Revocation]

#### FLUID MILK IN GRANT COUNTY, IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329; *It is hereby ordered*, That:

(a) Order No. G-20 under Maximum Price Regulation No. 329, (purchases of milk from producers for resale as fluid milk) be, and the same is hereby revoked.

(b) Revocation of said Order No. G-20 under Maximum Price Regulation No. 329 be, and the same is hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (effect of repeal, revocation, amendment or other modifications of price regulations) issued by the Price Administrator on April 2, 1943.

Effective: October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5000; Filed, Mar. 28, 1945;  
1:38 p. m.]

[Region III Rev. Order G-22 Under 18 (c),  
Revocation]

#### FLUID MILK IN JEFFERSON COUNTY, KY., AND FLOYD AND CLARK COUNTIES, IND.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration under the provisions of § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280; *It is hereby ordered*, That:

(a) Revised Order No. G-22 under § 1499.18 (c) of General Maximum Price Regulation (revised order adjusting the maximum prices of approved fluid milk and special milk sold at retail and wholesale in the County of Jefferson in the State of Kentucky and the Counties of Floyd and Clark in the State of Indiana) be, and the same is hereby revoked.

(b) Revocation of said Order No. G-22 under § 1499.18 (c) of Maximum Price Regulation be, and the same is hereby made subject to all of the conditions, stipulations, and provisions of Supple-

mentary Order No. 40 (effect of repeal, revocation, amendment, or other modification of price regulations) issued by the Price Administrator on April 2, 1943.

This order of revocation shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 12, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4984; Filed, Mar. 28, 1945;  
1:28 p. m.]

[Region III Order G-22 Under RMMPR 122,  
Amdt. 1]

#### SOLID FUELS IN LEXINGTON, KY., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Order No. G-22 under Revised Maximum Price Regulation No. 122 be amended in the following respects: 1. Paragraph D, Part I, of Schedule II in section (e) is amended to read as follows:

#### SCHEDULE II

Column I	Column II	Column III
D. Screenings (slack) size group No. 7 (larger than $\frac{3}{4}$ " x 0 but not exceeding $2\frac{1}{2}$ " x 0):		
1. From Clay County.....	\$5.50	\$5.00
2. From Jackson County.....	5.25	4.75

2. Section (e) is amended to read as follows:

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuel made either under the provisions of this order or under the provisions of Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Per ton
Trimming in the bin.....
Carrying or wheeling from curb.....
Carrying up or down one flight of stairs.....
Treating of coal at dealer's yard.....
Deliveries of less than one ton, fractional ton price plus.....

This Amendment No. 1 to Order No. G-22 under Revised Maximum Price Regulation No. 122 shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 12, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4995; Filed, Mar. 28, 1945;  
1:37 p. m.]

[Region III Order G-23 Under MPR 329,  
Amdt. 2]

#### FLUID MILK IN CLEVELAND REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a), (c), and (f) of Maximum Price Regulation No. 329, *It is hereby ordered*, That:

1. Section (a) (2) of Order No. G-23, as amended, under Maximum Price Regulation No. 329, (Purchases of milk from producers for resale as fluid milk), be and the same is hereby amended to read as follows:

(2) Any "milk" distributor in the County of Henderson in the State of Kentucky may pay to producers an amount not to exceed \$4.00 per cwt., f. o. b. purchaser's receiving plant for "milk" produced in said county and state, of 4% butterfat content, plus or minus 5 cents for each one tenth of 1% variation over or under 4% butterfat content: *Provided*, That each such distributor shall be subject to the express limitations and restrictions of § 1351.402 (b), (c), (d), (e), and (f).

This amendment shall become effective September 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 22, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5004; Filed, Mar. 28, 1945;  
1:47 p. m.]

[Region III Order G-22 Under MPR 329,  
Revocation]

#### FLUID MILK IN INDIANA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (c) of Maximum Price Regulation No. 329; *It is hereby ordered*, That:

(a) Order No. G-22 under Maximum Price Regulation No. 329, (Purchases of milk from producers for resale as fluid milk) be, and the same is hereby re-

voked.

(b) Revocation of said Order No. G-22 under Maximum Price Regulation No. 329 be, and the same is hereby made subject to all of the conditions, stipulations and provisions of Supplementary Order No. 40 (Effect of repeal, revocation, amendment or other modifications of price regulations) issued by the Price Administrator on April 2, 1943.

Effective: October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4997; Filed, Mar. 28, 1945;  
1:37 p. m.]

[Region III Order G-23 Under 18 (c), Price Regulation (Order adjusting the maximum prices of fluid whole milk and special milk sold at retail and wholesale in the State of West Virginia) be, and the same is hereby amended to read as follows:

**SCHEDULE A**  
For the reasons set forth in the opinion attached hereto, and pursuant to the authority vested in the Regional Administrator of Region III under the provisions of § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280; It is hereby ordered, That: Schedule A of Order No. G-23 under § 1499.18 (c) of the General Maximum

1. Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Barbour, Braxton, Calhoun, Clay, Doddridge, Gilmer, Grant, Hardy, Jackson, Lewis, Monroe, Nicholas, Pendleton, Pocahontas, Randolph, Ritchie, Roane, Summers, Tucker, Upshur, Wirt, and Wood in the State of West Virginia.

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.
	Glass or paper.....	One gallon or multiples thereof.....	3½¢ per gallon.
	Glass or paper.....	One-half gallon.....	1½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.

(2) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Berkeley, Brooke, Greenbrier, Hampshire, Harrison, Jefferson, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Preston, Taylor, Webster, and Wetzel, in the State of West Virginia.

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.
	Glass or paper.....	One gallon or multiples thereof.....	3½¢ per gallon.
	Glass or paper.....	One-half gallon.....	1½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.

(3) Adjusted maximum prices for the sale of fluid whole milk at retail or wholesale in the Counties of Cabell, Lincoln, Mason, Putnam, and Wayne in the State of West Virginia.

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.
	Glass or paper.....	One gallon or multiples thereof.....	3½¢ per gallon.
	Glass or paper.....	One-half gallon.....	1½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.

Price Regulation (Order adjusting the maximum prices of fluid whole milk at retail or wholesale in the Counties of Boone, Fayette, Kanawha, Logan, McDowell, Mercer, Mingo, Raleigh and Wyoming in the State of West Virginia).

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or paper.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.
	Glass or paper.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.

This amendment shall become effective September 29, 1944.

Issued: September 29, 1944.

C. J. Houser,  
Acting Regional Administrator.

[F. R. Doc. 45-4985; Filed, Mar. 28, 1945;  
1:28 p.m.]

[Region III Order G-26 Under 18 (c), Amdt. 8]  
**FLUID AND SPECIAL MILK IN OHIO**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation

Type of delivery	Container	Size	Adjusted maximum price
Retail.....	Glass or other.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.
	Glass or other.....	One gallon or multiples thereof.....	\$16 per gallon.
	Glass or paper.....	One-half gallon.....	3½¢ per half-gallon.
	Glass or paper.....	One quart.....	1½¢ per quart.
	Glass or paper.....	One pint.....	1½¢ per pint.
	Glass or paper.....	One-half pint.....	1½¢ per half-pint.

2. Paragraph (ii) of Schedule A be, and the same is hereby, amended to read as follows:

(ii) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Adams, Allen, Ashland, Athens, Auglaize, Brown, Carroll (except Brown Township), Clermont, Champaign, Clermont, Clinton, Coshocton, Crawford, Delaware, Fairfield, Fayette, Franklin, Guernsey, Hancook, Hardin, Harrison, Highland, Hocking, Holmes, Huron, Jackson, Knox, Licking, Madison, Marion, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Richland, Ross, Seneca, Tuscarawas, Union, Vinton, Washington, Wayne, Wyandot; the Townships of Flushing, Goethe, Kirkwood, Smith, Somers, Union, Washington, Warren, Wayned, Wheeling in Belmont County; the Townships of Green, Greenfield, Harrison, Huntington, Morgan,

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schedule price for a service or making a charge for a service not authorized by this order;

(ii) Making a charge higher than the schedule charge authorized for the extension of credit;

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly;

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and qualities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum per ton prices for credit sales in quantities of at least one ton, but less than fifteen tons, on a "direct delivery" basis; Column III shows maximum prices for sales of at least one ton but less than fifteen tons when payment is to be made within fifteen days of the date of delivery; Column IV shows maximum prices for "yard sales" to dealers reselling coal. All prices are for sales on a net ton basis:

		Column I		Column II		Column III		Column IV	
Retail	Glass or other	One gallon or multiples thereof.	51¢ per gallon.						
	Glass or paper	One-half gallon or multiples thereof.	27¢ per half-gallon.						
	Glass or paper	One quart or multiples thereof.	14¢ per quart.						
	Glass or paper	One pint	8¢ per pint.						
	Glass or paper	One-half pint	4¢ per half-pint.						
Wholesale	Glass or other	One gallon or multiples thereof.	46¢ per gallon.						
	Glass or paper	One-half gallon or multiples thereof.	24½¢ per half-gallon.						
	Glass or paper	One quart or multiples thereof.	12¢ per quart.						
	Glass or paper	One pint	7¢ per pint.						
	Glass or paper	One-half pint	3½¢ per half-pint.						

Perry, Raccoon, Springfield, and Walnut in Gallia County; the Townships of Bath, Beaver Creek, Cedarville, Caesar Creek, Jefferson, New Jasper, Ross, Silver creek, Spring Valley, Sugar Creek and Xenia in Green County; the Townships of Brush Creek, Mt. Pleasant, Ross, Salem, Springfield, Smithfield, and Wayne in Jefferson County; the Townships of Aid, Decatur, Elizabeth, Lawrence, Mason, Symmes, Washington, and Windsor in Laurence County; the Townships of Brighton, Cauden, Huntington, Pennfield, Pittsfield, Rochester, and Wellington in Lorain County, Milton, Montgomery, Perry, Plain, Portage, Troy, Washington, Webster, and Weston in Wood County, all in the State of Ohio:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof.	51¢ per gallon.
	Glass or paper	One-half gallon or multiples thereof.	27¢ per half-gallon.
	Glass or paper	One quart or multiples thereof.	14¢ per quart.
	Glass or paper	One pint	8¢ per pint.
	Glass or paper	One-half pint	4¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof.	46¢ per gallon.
	Glass or paper	One-half gallon or multiples thereof.	24½¢ per half-gallon.
	Glass or paper	One quart or multiples thereof.	12¢ per quart.
	Glass or paper	One pint	7¢ per pint.
	Glass or paper	One-half pint	3½¢ per half-pint.

3. Paragraph (iv) of Schedule A be, and the same is hereby, amended to read as follows:

(iv) Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the Counties of Butler, Columbiana, Guayaha, Hamilton, Lucas, Mahoning, Montgomery, Portage, Stark, Summit; the Townships of Colerain, Meade, Pease, Pultney, Richland, York in Belmont County; the Townships of Brown, in Carroll County; the Townships of Bainbridge, Chardon, Chester, Munson, Russell in Geauga County; the Townships of Cross Creek, Island Creek, Knox, Saline, Stenbenville, Warren, Wells in Jefferson County; the Townships of Con-

cord, Kirtland, Mentor, Painesville, and Willoughby in Lake County; the Townships of Avon, Avon Lake, Black River, Carlisle, Columbia, Eaton, Elyria, Grafton, La Grange, Ridgeville and Sheffield in Lorain County; the Townships of Brunswick, Granier, Hinckley, Lafayette, Liverpool, Medina, Montville, Sharon, Wadsworth and York in Medina County; the Townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Vienna, Warren, and Weathersfield in Trumbull County; the Townships of Clark Creek, Deerfield, Franklin, Hamilton, Turtle Creek and Union in Warren County; the Townships of Lake, Perrysburg and Ross in Wood County, all in the State of Ohio:

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof.	53¢ per gallon.
	Glass or paper	One-half gallon or multiples thereof.	26¢ per half-gallon.
	Glass or paper	One quart or multiples thereof.	13½¢ per quart.
	Glass or paper	One pint	9¢ per pint.
	Glass or paper	One-half pint	4½¢ per half-pint.
Wholesale	Glass or other	One gallon or multiples thereof.	48¢ per gallon.
	Glass or paper	One-half gallon or multiples thereof.	25¢ per half-gallon.
	Glass or paper	One quart or multiples thereof.	13¢ per quart.
	Glass or paper	One pint	8¢ per pint.
	Glass or paper	One-half pint	4½¢ per half-pint.

This amendment shall become effective September 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)  
Issued: September 12, 1944.

BIRKET L. WILLIAMS,  
Regional Administrator.

[F.R. Doc. 45-4982; Filed, Mar. 28, 1945; 12:43 p.m.]

[Region III Order G-28 Under RMPR 122]  
SOLID FUELS IN JACKSON, MICH., AREA

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Jackson, in the State of Michigan, and all territory within four miles of said corporate limits. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point within the corporate limits of the City of Jackson in the State of Michigan, or at or to any point within four miles of the said corporate limits; and they are also the highest prices that any buyer in the course of trade or business may pay therefor.

(b) *What this order prohibits.* Regardless of any obligation, no person shall (1) Sell or, in the course of trade or business, buy solid fuel at prices higher than the maximum prices set by this Order No. G-28; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher ceiling price by (1) Charging a price higher than the on a net ton basis;

		Column I		Column II		Column III		Column IV	
Retail	Glass or other	One gallon or multiples thereof.	51¢ per gallon.						
	Glass or paper	One-half gallon or multiples thereof.	27¢ per half-gallon.						
	Glass or paper	One quart or multiples thereof.	14¢ per quart.						
	Glass or paper	One pint	8¢ per pint.						
	Glass or paper	One-half pint	4¢ per half-pint.						
Wholesale	Glass or other	One gallon or multiples thereof.	46¢ per gallon.						
	Glass or paper	One-half gallon or multiples thereof.	24½¢ per half-gallon.						
	Glass or paper	One quart or multiples thereof.	12¢ per quart.						
	Glass or paper	One pint	7¢ per pint.						
	Glass or paper	One-half pint	3½¢ per half-pint.						

Footnote at end of table.

Kentucky Southern West Virginia, western Virginia, and northeastern Tennessee) excluding mine index Nos. 124, 285, 458 and 465; A, Block and lump, size group Nos. 1 and 2 (larger than 3") forked and shovelled;

1. Mine price classifications E through K.....
2. Mine price classifications L through O.....
- B. Egg-forked and shovelled:
  1. Size group No. 6 (top size larger than 5" but not exceeding 6"; bottom size 2" and smaller; top size 3" but not exceeding 5"; bottom size larger than 2" but not exceeding 3");
  - a. Mine price classifications E through K.....
  - b. Mine price classifications L through M.....
  2. Size group No. 7 (top size larger than 3" but not exceeding 5"; bottom size 2" and smaller);
  - c. Mine price classifications E through M.....
- C. Stoker, size group No. 10 (top size 1½" and smaller x bottom size ½" and larger);
  1. Mine price classifications F and lower.
  2. Mine price classifications G and lower.

D. To the mines stated in sections A, B, and C of Part I may be added \$0.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8 and provided it is separately weighed and filled by the dealer. Subdistrict 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

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SCHEDULE I—Continued

Column I	Column II	Column III	Column IV
II. High volatile bituminous coals from the Hocking freight origin district of producing district No. 4 (Ohio) excluding mine index No. 73, forked and shoveled:			
A. Lump, size group No. 2 (bottom size larger than 2" but not exceeding 5")	\$8.70	\$8.20	\$7.20
B. Egg, size group No. 2 (bottom size larger than 1 1/4" but not exceeding 2")	8.30	7.80	6.80
III. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia) excluding mine index No. 28:			
A. Lump and egg, size group Nos. 1 and 2 (lump: bottom size larger than that designated for screened run of mine; egg: top size larger than 3") mine price classifications A through C:			
1. Forked	11.85	11.35	10.35
2. Other	10.85	10.35	9.35
B. Stove or dedusted screenings, size group No. 3 (top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") mine price classification A:	11.60	11.10	10.10
1. Forked	10.60	10.10	9.10
2. Other			
C. Nut or dedusted screenings, size group No. 4 (top size larger than 3/4" but not exceeding 1 1/4" x bottom size smaller than 1 1/4") mine price classification A:	9.85	9.35	8.35
D. Pen or dedusted screenings, size group No. 5 (top size not exceeding 3/4" x bottom size smaller than 3/4") mine price classification A:	9.65	9.15	8.15

<sup>1</sup> In accordance with Regional Supplementary Order No. 3, \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to allay dust or prevent freezing and if such charge is separately stated on the dealer's invoice.

(d) *Sales of other fuels.* The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-28 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales of solid fuels, under the provisions of either this Order No. G-28 or of Revised Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders such service. Every service charge shall be separately stated in the dealer's invoice.

Trimming..... \$0.65 per hour per man.

Carry or wheel in \$1.00 per ton from curb.

Carry up or down \$1.25 per ton. flight of stairs.

Each additional flight \$0.25 per ton.

One-half ton delivery  $\frac{1}{2}$  the ton price plus \$0.25.

(f) *Quantity discounts.* The maximum prices for sales of 15 tons or more to a single purchaser for delivery to a single location shall be the prices set forth in Column II or in Column III according to which is applicable, less \$0.25 per ton.

(g) *Taxes.* (1) The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, such tax need not be so separately stated on sales to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(2) The prices set forth in this order do not include the 3% Michigan sales tax. Such sales tax may be collected in addition to the prices set forth in this order, provided the dealer states it separately from the price on his invoice or statement.

(h) *Addition of increase in suppliers prices prohibited.* The maximum prices

set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(i) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(j) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(k) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(l) *Records.* Every dealer subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration, the same records he was required to preserve and keep under § 1340.262 (a) and (b) of Regulation 122.

(m) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing; the date of the sale, the name and address of the buyer and of the dealer, the kind, size,

and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(n) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Detroit District Office of the Office of Price Administration.

(o) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(p) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-28 under Revised Maximum Price Regulation No. 122 shall become effective October 11, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4631)

Issued: September 29, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-4966; Filed, Mar. 28, 1945;  
12:36 p. m.]

[Region III Order G-34 Under RMPR 122, Amdt. 3]

**SOLID FUELS IN YOUNGSTOWN, OHIO, AREA**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Order No. G-34 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

Part II of the Price Schedules in section (c) (1) is amended to read as follows:

Column I	Column II	Column III
II. High volatile bituminous coals from producing district No. 3 (northwestern West Virginia, excluding Panhandle): A. Pittsburgh seam: 1. Lump size group No. 2 (bottom size 2" but not exceeding 5") mine price classifications D and E.....	\$7.10	\$6.10

This Amendment No. 3 to Order No. G-34 under Revised Maximum Price Regulation No. 122 shall become effective October 18, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued: October 18, 1944.

BIRKETT L. WILLIAMS,  
*Regional Administrator.*

[F. R. Doc. 45-5016; Filed, Mar. 28, 1945;  
1:50 p. m.]

[Region III Order G-34 Under RMPR 122, Amdt. 4]

**SOLID FUELS IN YOUNGSTOWN, OHIO, AREA**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part III of paragraph (c) (1) of Order No. G-34 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

Column I	Column II	Column III
III. High volatile bituminous coals from producing district No. 4 (Ohio) excluding mine index Nos. 54 <sup>1</sup> and 111: A. Lump and egg: 1. Size group No. 1 (bottom size larger than 2") from subdistrict No. 1 (eastern Ohio).....	\$7.25	\$6.25
2. Size group No. 2 (single screened bottom size larger than 2" but not exceeding 5"; double screened bottom size larger than 2"): a. From subdistrict No. 1 (eastern Ohio) excluding coals from Mine Index No. 122.....	7.05 7.25	6.05 6.25
3. Size group Nos. 3 and 3A (bottom size larger than 1 3/4" but not exceeding 2") from subdistrict No. 1 (eastern Ohio).....	6.75	5.75

<sup>1</sup> Void on and after May 12, 1945.

This Amendment No. 4 to Order No. G-34 under Revised Maximum Price Regulation No. 122 shall become effective March 8, 1945.

Issued: March 8, 1945.

CLIFFORD J. HOUSER,  
*Acting Regional Administrator.*

[F. R. Doc. 45-5017; Filed, Mar. 28, 1945;  
1:50 p. m.]

[Region III Order G-37 Under MPR 329]

**FLUID MILK IN INDIANA**

For the reasons set forth in an opinion accompanying this order and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration, by § 1351.408 (b) of Maximum Price Regulation No. 329, *It is hereby ordered*:

(a) Any milk distributor in the Counties of Bartholomew, Benton, Blackford, Boone, Brown, Carroll, Clay, Crawford, Daviess, Dearborn, Decatur, Delaware, Franklin, Fountain, Fulton, Gibson, Greene, Hamilton, Hancock, Harrison, Hendricks, Henry, Howard, Jackson, Jefferson, Jennings, Knox, Lawrence, Madison, Martin, Monroe, Morgan, Newton, Ohio, Orange, Owen, Parks, Perry, Pike, Posey, Pulaski, Putnam, Ripley, Rush Scott, Shelby, Spencer, Starke, Sullivan, Switzerland, Tippecanoe, Tipton, Union, Vermillion, Wabash, Warren, Washington and White in the State of Indiana, may pay to producers for "milk" an amount not to exceed \$3.20 per cwt., f. o. b. plant for "milk" of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329,

(b) Any milk distributor in the Counties of Adams, Clinton, De Kalb, Jay, La Grange, Montgomery, Noble, Randolph, Stuben, Vigo and Whitley in the State of Indiana, may pay to producers for "milk" an amount not to exceed \$3.30 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%; *Provided, however*,

That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

(c) Any milk distributor in the Counties of Adams, Clinton, De Kalb, Jay, La Grange, Montgomery, Noble, Randolph, Stuben, Vigo and Whitley in the State of Indiana, may pay to producers for "milk" an amount not to exceed \$3.30 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

(d), (e), and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

(d) Any milk distributor in the Counties of Allen, Cass, Dubois, Grant, Elkhart, Fayette, Huntington, Jasper, Johnson, Kosciusko, Marion, Marshall, Miami, Porter, Vanderburgh, Wayne and Warrick in the State of Indiana may pay to producers for "milk" an amount not to exceed \$3.45 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

(e) Any milk distributor in the Counties of La Porte and St. Joseph in the State of Indiana may pay to producers for "milk" an amount not to exceed \$3.75 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 5% and minus 5 cents for each one tenth of 1% variation under 4%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

(f) Any milk distributor in the Counties of Clark and Floyd in the State of Indiana may pay to producers for "milk" an amount not to exceed \$4.05 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%; *Provided, however*, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.

(g) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(h) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper, or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purpose of this order, farmers' cooperatives are producers when (i) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (ii)

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they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such co-operative or not.

(3) "Milk" means liquid cows' milk in a raw, unprocessed state which is purchased for resale for human consumption as fluid milk. "In a raw unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(i) This order shall not be construed as amending, modifying, revoking, or repealing any order, agreement or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, and in the event of any conflict between this order or any of the provisions thereof, and any such order, agreement, or license or any of the provisions thereof, the provisions of such order, agreement or license shall prevail over those of this order.

(j) This order replaces and supersedes the provisions of Order No. G-3 under Maximum Price Regulation No. 329 (Purchases of Milk Producers For Resale as Fluid Milk), insofar as it applies to milk distributors in the areas described in sections (a), (b), (c), (d), (e) and (f) of this order. Said Order G-3 under Maximum Price Regulation No. 329 is therefore revoked as to milk distributors located in said counties and townships in the State of Indiana.

(k) This order may be amended, modified, or revoked at any time by the Office of Price Administration.

This order shall become effective October 11, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: October 11, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-5006; Filed, Mar. 28, 1945;  
1:48 p. m.]

[Region III Order G-37 Under MPR 329,  
Amtd. 1]

## FLUID MILK IN INDIANA

For the reasons set forth in an opinion accompanying this order and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329: *It is hereby ordered, That:*

(a) Order No. G-37 under Maximum Price Regulation No. 329 be and the same is hereby amended in the following respects:

(1) Section (a) is hereby amended to read as follows:

(a) Any milk distributor in the Counties of Bartholomew, Benton, Blackford, Boone, Brown, Carroll, Clay, Crawford, Daviess, Dearborn, Decatur, Delaware, Franklin, Fountain, Fulton, Gibson, Greene, Hamilton, Hancock, Harrison, Hendricks, Henry, Jackson, Jefferson, Jennings, Knox, Lawrence, Madison, Martin, Monroe, Morgan, Newton, Ohio,

Orange, Owen, Parke, Perry, Pike, Posey, Pulaski, Putnam, Ripley, Rush, Scott, Shelby, Spencer, Starke, Sullivan, Switzerland, Tippecanoe, Tipton, Union, Vermillion, Wabash, Warren and White in the State of Indiana, may pay to producers for "milk" an amount not to exceed \$3.20 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5% for each one tenth of 1% butterfat variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%: *Provided, however, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.*

(2) Section (b) is amended to read as follows:

(b) Any milk distributor in the Counties of Adams, Clinton, De Kalb, Howard, Jay, La Grange, Montgomery, Noble, Randolph, Stuben, Vigo and Whitley in the State of Indiana, may pay to producers for "milk" an amount not to exceed \$3.30 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%: *Provided, however, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.*

(3) Section (d) is amended to read as follows:

(d) Any milk distributor in the Counties of Allen, Cass, Dubois, Grant, Elkhart, Fayette, Huntington, Jasper, Johnson, Kosciusko, Marshall, Miami, Porter, Vanderburg, Wayne, and Warrick in the State of Indiana may pay to producers for "milk" an amount not to exceed \$3.45 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5 cents for each one tenth of 1% variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%: *Provided, however, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e), and (f) of Maximum Price Regulation No. 329 except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.*

(4) Two new sections designated as sections (d-1) and (d-2) are added immediately following section (d) as amended, to read as follows:

(d-1) Any milk distributor in the County of Marion in the State of Indiana may pay to producers for "milk" an amount not to exceed \$3.51 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5% for each one tenth of 1% butterfat variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%: *Provided, however, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No.*

G-33 under Maximum Price Regulation No. 329.

(d-2) Any milk distributor in the County of Washington in the State of Indiana may pay to producers for "milk" an amount not to exceed \$3.70 per cwt., f. o. b. plant for milk of 4% butterfat content, plus 5% for each one tenth of 1% butterfat variation over 4% and minus 5 cents for each one tenth of 1% butterfat variation under 4%: *Provided, however, That such milk distributors shall be subject to the express restrictions of § 1351.402 (b), (c), (d), (e) and (f) of Maximum Price Regulation No. 329, except as is permitted in Order No. G-33 under Maximum Price Regulation No. 329.*

This amendment shall be effective February 2, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: February 2, 1945.

BIRKETT L. WILLIAMS,  
Regional Administrator.

Approved: January 30, 1945.

FRANK E. BLOOD,  
In Charge, Midwest Field Office,  
Dairy & Poultry Branch, Office  
of Marketing Services,  
War Food Administration.

[F. R. Doc. 45-4992; Filed, Mar. 28, 1945;  
1:33 p. m.]

[Region III Order G-41 Under MPR 122]

SOLID FUELS IN PORT HURON, MICHIGAN,  
AREA

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the Port Huron, Michigan, Area, defined as follows: The Cities of Port Huron and Marysville and that adjacent territory bounded as follows: Beginning on Davis Road at Lake Huron, thence west on Davis Road to Range Road, north of Range Road to West Water Street, east on West Water Street to State Road, north on State Road to Keewahdin Street, east on Keewahdin Street to Lake Huron. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for coal delivered to him.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-41 but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal*—(1) *Price schedules.* This schedule sets forth maximum prices for cash or credit sales of specified sizes, kinds and quantities of solid fuels. Column I described the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis; Column III shows maximum prices for cash or credit "yard sales" to dealers reselling coal to consumers.

Column I	Column II	Column III
III. Low volatile bituminous coals from producing district No. 7 (southern West Virginia and western Virginia):		
A. Lump and egg, size group Nos. 1 and 2 (lump) bottom size larger than that designated for screened run of mine; Egg: top size larger than 3" x bottom size no limit) mine price classification A through C	\$10.75	\$10.00
B. Stove, size group No. 3 (stove or dedusted screenings; top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3") mine price classification A	10.60	9.85
C. Stoker, size group No. 5 (pea or dedusted screenings; top size not exceeding 3" x bottom size smaller than 3/4") mine price classification A	9.55	8.80
IV. Pennsylvania anthracite, egg, stove, and nut sizes	14.35	13.60
V. Coke (excluding reclaimed and reject coke): A. Egg and nut sizes	12.95	12.20

<sup>1</sup> In accordance with regional supplementary order No. 3, \$0.10 per ton may be added to the prices of these coals if the coal has been subjected to an oil or calcium chloride treatment by the producer to alloy dust or prevent freezing and if such charge is separately stated on the dealer's invoice.

(2) *Quantity discounts.* The maximum prices for sales of one carload or more to a single purchaser for delivery to a single location shall be the prices set forth in Column II, less \$0.50 per ton.

(3) *Descriptive terms.* All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-41 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales made, either under the provisions of this order or under the provisions of Revised Maximum Price Regulation No. 122. These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

Per ton
Wheeling from curb.....
Carrying from curb.....
Carrying up or down stairs.....
1/2 ton deliveries, 1/2 of the ton price plus .....
.25

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order: *Provided*, The dealer states it separately from the price on his invoice or statement. However, it need not be so separately stated on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers price prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases

are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke or rescind this order or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: The date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Detroit District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative, of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia and northeastern Tennessee) excluding mine index Nos. 124, 437 and 286:		
A. Lump:		
1. Size group 1 (larger than 5") mine price classifications E through K.....	\$9.75	\$9.00
2. Size group No. 2 (larger than 3" but not exceeding 5"):		
a. Mine price classification A.....	10.00	9.25
b. Mine price classifications D through K.....	9.60	8.85
c. Mine price classifications L through O.....	9.10	8.35
B. Egg:		
1. Size group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller) mine price classifications B through K.....	9.75	9.00
2. Size group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3"):		
a. Mine price classification A.....	9.45	8.70
b. Mine classifications B through K.....	9.20	8.45
3. Size group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classification A.....		
C. Stoker, size group No. 10 (top size 1 1/4" and smaller x bottom size smaller than 1 1/4") mine price classifications B through E.....	9.45	8.70
D. To the prices stated in sections A, B, and C of part I may be added \$1.15 per ton provided the coal is mined in subdistrict 6 of producing district No. 8. If sold at maximum price, this coal must be separately weighed and billed. Subdistrict 6 includes that portion of district 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Knox, Jackson, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.	9.20	8.45
II. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. Lump size group No. 2 (bottom size larger than 2" but not exceeding 5"):		
1. From mine index No. 73.....	8.90	8.15
2. All other coals from the Hocking freight origin district.....	8.70	7.95
B. Egg, size group No. 3 (double screened; bottom size larger than 1 1/4" but not exceeding 2"):		
1. From mine index No. 73.....	8.45	7.70
2. All other coals from the Hocking freight origin district.....	8.25	7.50

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do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the contract may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

**NOTE:** The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-41 under Revised Maximum Price Regulation No. 122 shall become effective October 2, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Laws 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued: September 20, 1944.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 45-4977; Filed, Mar. 28, 1945;  
12:41 p. m.]

[Region III Order G-41 Under RMPR 122,  
Amtd. 1]

SOLID FUELS IN PORT HURON, MICHIGAN,  
AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122; *It is hereby ordered*, That Part II of paragraph (c) (1) of Order No. G-41 under Revised Maximum Price Regulation 122 be amended to read as follows:

Column I	Column II	Column III
II. High volatile bituminous coals from producing district No. 4 (Ohio):		
A. From subdistrict No. 5 (Hocking):		
1. Lump or egg:		
a. Size group No. 2 (single screened, bottom size larger than 2" but not exceeding 5"; double screened, bottom size larger than 2").....	\$8.90	\$8.15
b. Size group Nos. 3 and 3A (bottom size larger than 1 1/4" but not exceeding 2").....	8.45	7.70

This Amendment No. 1 to Order No. G-41 under Revised Maximum Price Regulation No. 122 shall become effective March 8, 1945.

Issued: March 8, 1945.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 45-4979; Filed, Mar. 28, 1945;  
12:41 p. m.]

[Region III Order G-49 Under RMPR 122,  
Amtd. 1]

SOLID FUELS IN CLEVELAND, OHIO, AREA

**NOTE:** A correction to the opinion accompanying Amendment No. 1 to Order No. G-49 under Revised Maximum Price Regulation No. 122 was filed with the Division of the Federal Register as Document No. 45-5014 on March 28, 1945, at 1:50 p. m.

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-387]

ST. LOUIS SCREW & BOLT CO.

#### ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of March, A. D. 1945.

The St. Louis Screw & Bolt Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its \$15 Par Common Stock and \$100 Par 7% Cumulative Preferred Stock from listing and registration on the St. Louis Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered*, That the matter be set down for hearing at 10:00 a. m. on Thursday, April 12, 1945, at the office of the Securities and Exchange Commission, 1114 Market Street, St. Louis, Missouri, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered*, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-5019; Filed, Mar. 28, 1945;  
2:50 p. m.]

[File No. 70-1037]

#### UNION ELECTRIC CO. OF MISSOURI

#### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of March 1945.

Union Electric Company of Missouri, a registered holding company, has filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, regarding the proposal of Union Electric Company of Missouri to extend the date of maturity of its presently outstanding promissory notes in the aggregate face amount of \$9,000,000, dated June 28, 1944, and bearing interest at the rate of 1 1/2% per annum payable quarterly, from March 28, 1945 to June 28, 1945, pending the permanent financing of the payment thereof. Said promissory notes are held by 44 commercial banks and were heretofore authorized by order of this Commission, dated April 19, 1944 (Holding Company Act Release No. 5005) and were issued to provide in part the funds for the repayment of the open account indebtedness owing by Union Electric Company of Missouri to its subsidiary, Mississippi River Power Company, and a cash capital contribution to that subsidiary. The cash so received by Mississippi River Power Company provided in part the funds for the redemption on July 1, 1944, of its outstanding First Mortgage 5% Bonds in connection with the plan of simplification filed by Mississippi River Power Company (File No. 54-96) pursuant to section 11 (e) of the act.

Said application having been filed on the 28th day of February 1945, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to the application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

Union Electric Company of Missouri having requested that the Commission issue its order on or before March 28, 1945; and

The Commission finding that the requirements of section 6 (b) are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the application, and to accelerate the effective date;

*It is hereby ordered*, Pursuant to said Rule U-23 and the applicable provisions of the Act and subject to the terms and conditions prescribed in Rule U-24 that said application be and the same is hereby granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 45-5020; Filed, Mar. 28, 1945;  
2:50 p. m.]